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TRIALS FOR ADULTERY:

OR, THE

HISTORY OF DIVORCES.

BEING

SELECT TRIALS

AT

DOCTORS COMMONS,

FOR

ADULTERY, | CRUELTY,
FORNICATION, | IMPOTENCE, &c.

From the Year 1760, to the present Time.

Including the whole of the Evidence on each Cause.

TOGETHER WITH

The LETTERS, &c. that have been intercepted between
the amorous Parties.

The whole forming a complete History of the PRIVATE LIFE,
INTRIGUES, and AMOURS of many Characters in the most
elevated Sphere: every Scene and Transaction, however ridi-
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as becomes a faithful Historian, who is fully determined not to
sacrifice *Truth* at the Shrine of *Guilt* and *Folly*.

TAKEN IN SHORT-HAND, by a CIVILIAN.

A NEW EDITION, embellished with ELEGANT PRINTS.

V O L I.

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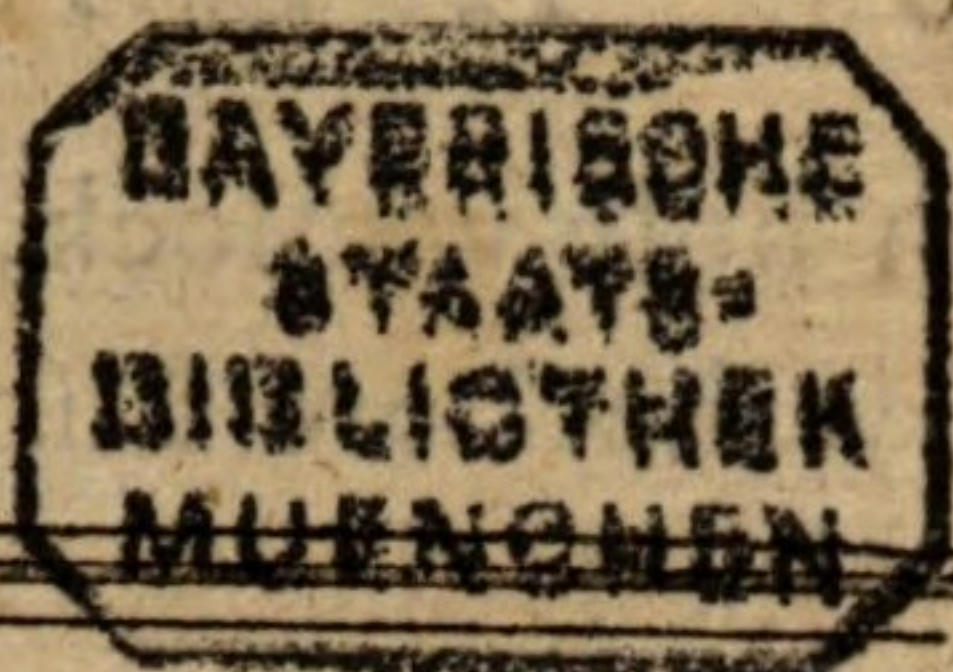
To the P U B L I C.

CONJUGAL Infidelity is become so general, that it is hardly considered as criminal; especially in the fashionable world. Sensible of the consequences resulting from illicit love, a Right Reverend Prelate has endeavoured to introduce a new law, for the punishment of those who are convicted of Adultery, his intention was praise-worthy, though perhaps a better act than he proposed, might possibly have been framed. It however passed the House of Lords, but it did not meet with the concurrence of the Lower House. It is indeed a difficult matter to deter those of an abandoned disposition, from the commission of crimes where the punishment is trivial: a separation is generally the worst consequence that can ensue in adulterous cases, and that is but too often what the offending parties devoutly wish. This publication may perhaps effect what the law cannot: the transactions of the adulterer and the adulteress will, by being thus *publicly circulated*, preserve others from the like crimes, from the fear of shame, when the fear of punishment may have but little force.

It requires little or no apology for the publication of these trials. It may, perhaps, (as already observed) deter the wavering wanton from the completion of her wishes; it may be of service to the practicers in the law, as they may have recourse to these trials for information, which will answer the same purpose in this, as the Law and Equity Reports in other courts; it will shew to the world in general by what gradual steps affection sinks into indifference, indifference into disgust, and disgust into aversion: the consequences of which are but too apparent from the perusal of these volumes. When a woman (especially of the superior class) has lost that inestimable jewel, virtue; alas! how is she fallen! her nobility no longer claims our reverence; her coronet ceases to be enviable; her birth (which she has disgraced) but adds to her offence; as, from her situation, it was incumbent on her to have been an example of purity to the rest of her sex: she is indeed become the object of the scorn, pity, and derision of her relations, her former associates, and the public.

THE EDITOR.

3d February, 1781,



TRIALS FOR ADULTERY, &c.

The EARL of TYRCONNEL

AGAINST

The COUNTESS of TYRCONNEL.

LIBEL given in the 26th of *November*,
1776.

THE abovementioned libel sets forth,
That the Right Hon. George Carpenter, Earl of Tyrconnel, in the kingdom of Ireland, made his addressees in the way of marriage to the Right Hon. Lady Frances Carpenter, Countess of Tyrconnel, (then Lady Frances Manners) the daughter of the late Most Hon. John Manners, commonly called Marquis of Granby, then a spinster and a minor. That the said Lord and Lady Tyrconnel were joined together
in

in holy wedlock, on the 9th of July, 1772, by the Lord Bishop of Bristol, at the house of the Duchess Dowager of Somerset, called Sutton Court House, in the parish of Chiswick, in the county of Middlesex. That the said Earl and Countess of Tyrconnel, lived and cohabited together as husband and wife, and consummated the said marriage by carnal copulation and procreation of a child. That the Earl of Tyrconnel was, and is a person of a sober, chaste, and virtuous life and conversation, and always treated the Countess of Tyrconnel, his wife, in the most indulgent manner. That notwithstanding this, the said Countess of Tyrconnel being unmindful of her conjugal vow, and the honour and duty she owed her husband, did contract and carry on an adulterous intercourse and connection with Charles Smith, Esq. and they committed the crime of adultery together. That the said Countess of Tyrconnel afterwards eloped from her husband, and lodged at a house in Glanville Street, Rathbone Place: and the Earl of Tyrconnel being informed where she was, went to her said lodgings;

lodgings ; and notwithstanding her late ill conduct, would have forgiven her, and prevailed upon her to return home, and promised to overlook what had passed ; but she refused to return home with him. That Lady Tyrconnel is six months gone with child, or thereabouts, and has often declared and confessed, that the said Charles Smith is the father of the said child with which she is now enſient. The party propo-
nent therefore prays right and justice to be effectually done and administered to him and his party in the premises, &c. and that Lord Tyrconnel may be divorced from bed, board, and mutual cohabitation with his wife, the said Right Hon. Frances Carpenter, countess of Tyrconnel.

27th November, 1776.

The Deposition of Ann Pearce.

ANN PEARCE, widow, now lodging at the house of William Neaves, in Swallow Street, in the parish of St. James, Westminster, in the county of Middlesex, aged fifty-three years, deposes and says, that on or about the tenth of May, 1776,

now

8 *The Earl of Tyrconnel, against*

now last past, she went to live as servant to one Mr. John Pollard, an Auctioneer at Stanford Brook, near Turnham Green, in the county of Middlesex; and continued to live there till the beginning of October last; and saith, that about noon, one Saturday, in the month of July last, (but the day of the month she does not remember) her fellow-witness, M. Lambert, (whom she then knew) and a gentleman, then a stranger, but whose name she afterwards heard was Loraine Smith, came to Mr. Pollard's house, when he and his wife were in town; and, after seeing the house and garden, and enquiring how they were supplied with provisions, the said Mr. Smith asked if a family could come into the house that night, and if she, the deponent, could quit it: and the deponent told him a family might come that night, but she could not leave the house without letting Mr. and Mrs. Pollard know: but, upon the said M. Lambert's telling Mr. Smith that the deponent was a very good cook, he said, then she might stay: after which he and M. Lambert went away; but about twelve o'clock

o'clock that night, Mr. Smith came again in a coach, and brought with him a young lady, whom the deponent did not then know, but whom, from the information of the neighbours, who well knew her, and also of her own women, the deponent now knows to be the Right Hon. Lady Frances Carpenter, Countess of Tyrconnel, party in this cause, and wife of the Earl of Tyrconnel, whom she does not know. And the said Mr. Smith, as soon as they came, asked if the beds were ready? and the deponent, having only got her master's bed ready, told him so; upon which he desired the other bed to be sheeted, and it accordingly was: and Lady Tyrconnel then went up into the deponent's master's bed-chamber, and Mr. Smith went into the other, and the deponent into her own; after which she heard Mr. Smith and Lady Tyrconnel talk together, but apprehends they spoke French, as she could not understand what they said: and the said Mr. Smith stayed all night at the said house; and when the deponent got up the next morning, she perceiving the bed-chamber

Mr. Smith was to lay in, open, her curiosity led her into the room, where she did not find any body, and the bed and the pillows were in the same state as she had left them over night, and the deponent is certain had not been lain in; but when she made the bed Lady Tyrconnel lay in, on which the deponent had left the two pillows, apprehending it was wanted for a man and his wife, she found such bed very much tumbled, and plainly perceived the marks of two persons having lain therein the preceding night: and about two o'clock next day, Mr. Smith went away, but returned to dinner at six o'clock, and stayed all night, The next morning, the bed which had been made up for him, appeared in the same state as when first made up, and had not been lain in; but the bed Lady Tyrconnel lay in again, appeared very much tumbled; and the deponent plainly perceived the marks of two persons having lain therein the preceding night: and, as Mr. Smith did not, on either of the said two nights, lay in the bed made up for him, and as the bed Lady Tyrconnel lay in

in, on each night, appeared tumbled, and as if two persons had lain therein, she is well assured that Mr. Smith and Lady Tyrconnel did, on each of the said nights, lay together in one and the same bed, naked and alone; and does therefore believe, that when they were in bed, they did as they pleased, and that they committed adultery together. And the said Mr. Smith never came to the said house again, but Lady Tyrconnel staid there five weeks, and had her own woman, and a servant, as a cook, to attend her there; and after Lady Tyrconnel left the house, the deponent several times saw her and Mr. Smith walking about together in the neighbourhood; and the last time she saw Lady Tyrconnel, was about a fortnight ago, when she appeared to the deponent to be big with child.

ANN PEARCE.

27th November, 1776.

The Deposition of Robert Lambert.

ROBERT LAMBERT, of Warwick-Street, near Golden Square, in the parish

of St. James, Westminster, in the county of Middlesex, upholsterer, aged thirty-four years, deposes and says, that he has known Loraine Smith, Esquire, mentioned in this cause, for about two years past; and, on or about the twenty-fifth of July last, the deponent, by the desire of the said Loraine Smith, went with him to look at a ready-furnished house, belonging to one Mr. John Pollard, an auctioneer, and situate at Stanford Brook, near Turnham Green, in the county of Middlesex: which house the deponent, by the desire of Loraine Smith, agreed to take for a month; and he told the deponent it was for a lady of fashion; but the deponent soon after going out of town, cannot further, of his own knowledge, depose.

ROBERT LAMBERT.

27th November, 1776.

The Deposition of James Wood.

JAMES WOOD, coachman to the Right Hon. George Carpenter, Earl of Tyrconnel, aged forty-three years, deposes and says, that he now is, and for a year
past

past has been coachman to the said Earl of Tyrconnel, whom he before knew by sight; and has known the Countess of Tyrconnel, his wife, by sight, almost from her childhood; and by living in Lord Tyrconnel's service, he came to know Mr. Smith, who goes by the name of Loraine Smith; and the first time the deponent remembers to have seen him, was one day in the hard weather, last winter, when the deponent, having drove Lady Tyrconnel in her coach to the Serpentine River, in Hyde Park, the said Mr. Smith came up to the coach, and talked some time with her ladyship, and he, several times after that, visited Lady Tyrconnel at her said Lord's house in Hanover-Square. in the county of Middlesex, in his absence, and the deponent believes, unknown to him; and Lady Tyrconnel used frequently to ride out on horseback, when in town, and the deponent attended her at some of those times: and Mr. Smith used generally to meet her, and join company and ride with her. He further saith, that Lady Tyrconnel used to frequent Ranelagh, Vauxhall, and all other public

public places, at some or other of which she used to be almost every night, though the deponent very seldom drove her at night : but on the eleventh of July last, he drove her to Miss Manners's, almost by Tyburn turnpike, from whence he drove her and Miss Manners to Vauxhall, where they staid till about twelve o'clock ; and when they came out, Mr. Smith came with them, and got into the coach ; and the deponent then drove to Miss Manners's, and set her down, and then drove his lady and Mr. Smith to his lodgings in Portland Street, and sat him down, and then drove his lady home. The next day he drove his lady, and another Miss Manners to Ranelagh, where they staid till about twelve o'clock ; and when they came out, Mr. Smith came with them, and he drove them all to the end of Conduit-Street, where Mr. Smith got out of the coach, and Lady Tyrconnel and Miss Manners went home to Lord Tyrconnel's house. And he remembers, that on Sunday the thirtieth of June last, he drove Lady Tyrconnel, Mrs. Talbot, Sir Thomas Clarges,

Clarges and Mr. Smith, to the Star and Garter, on Richmond Hill, where they dined ; and went after dinner to Mr. Hobart's, on Ham Common ; from whence they went to Richmond Gardens, where they staid till almost ten o'clock, and then returned to Ham Common ; from whence they proceeded on the way to Lord Tyrconnel's seat at Randall's, in the county of Surry : but in Ewell Street, Sir Thomas Clarges and Mr. Smith got out of the coach, and went into Sir Thomas's phaeton, which had followed them ; and Lady Tyrconnel and Mrs. Talbot went on to Randall's.

He further deposes and says, that he never saw Lady Tyrconnel write or subscribe her name ; but he has seen letters, which he did, and does believe were wrote by her to Lord Tyrconnel ; and also has seen cards which the footmen have brought down stairs directly from her ladyship, and which he did, and does believe had been just wrote by her, and he has by that means some knowledge of her manner and character of handwriting : and having now carefully viewed the

the three paper-writings, marked * D, E, and F, and the superscriptions on the envelopes or covers, now severally shewn to him, he says, that they are all very like the hand-writing of Lady Tyrconnel; and he believes the whole series and contents of all, each, and every of the said paper-writings now shewn to him, and the superscriptions on the said covers, to be all severally and respectively of the proper hand-writing of Lady Tyrconnel: and he also believes that Charles Loraine Smith, Esq. to whom the said letters are directed, and the aforesaid Mr. Loraine Smith, was and is one and the same person.

He further deposes and says, that, on the 13th of July last, Lord Tyrconnel being at Randall's, where Lady Tyrconnel had promised to go on that day or the next, the said Lady Tyrconnel eloped from, and left the said Lord Tyrconnel's house, in Hanover-square: and, as the deponent heard the next day, went to lodgings in Rathbone Place.

JAMES WOOD.

* That the narrative may not be interrupted, all letters, and other exhibits, are intended to be given at the conclusion of the Work, with references to the respective trials.

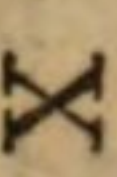
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28th November, 1776.

The Deposition of James Walley.

JAMES WALLEY, now coachman to Mr. Warren, Perfumer, in Marybone-Street, near Golden-square, in the county of Middlesex, aged about forty years, deposes and says, That some time in the beginning of last summer, but the time more particularly he cannot recollect, he being in the service of one Mr. Clarke, of Cripplegate, (who lets out coaches and horses to hire) was ordered by him to go to a house in or near Rathbone Place, to take up some company, and he accordingly went there ; and, about eight o'clock in the evening, he took up a gentleman and a lady, both strangers to him, and drove them to a ready-furnished house at Stanford Brook, near Turnham Green, in the county of Middlesex, where they staid that night, and the gentleman also staid there the next night, after which he went away, and did not (as the deponent knows of) return ; but the deponent continued to drive the lady for three weeks and three or four days, when he was discharged ;

and, during that time, the lady continued at the said house, and went by the name of Mrs. Porter ; but he was afterwards informed that she was a lady by birth, and that she was Lady Tyrconnel.

The Mark  of
JAMES WALLEY.

28th November, 1778.

The Deposition of Samuel Merret.

SAMUEL MERRET, now servant to the Right. Hon. George Carpenter, Earl of Tyrconnel, aged about twenty-two or twenty-three years, deposes and says, that before the marriage of Lord Tyrconnel, the deponent was servant to him, at the house of his grandmother, Lady Carpenter ; and, upon his marriage, went to live with him in the capacity of under butler ; in which station he lived for about a year and an half, or two years, and then became footman to his wife, the Countess of Tyrconnel, whom he knew by sight when Lady Frances Manners ; and he continued to be her footman till she left his lordship's house. And saith, that, about a year and
an

an half ago, as he best remembers, Lady Tyrconnel became acquainted with one Mr. Loraine Smith, who, as he believes, was not then acquainted with Lord Tyrconnel ; and the said Loraine Smith used frequently to visit Lady Tyrconnel, at the said Lord's house in Hanover-square, in the absence of, and, as he believes, unknown to Lord Tyrconnel : particularly when he was in Hampshire, at his said grandmother's, Loraine Smith came and breakfasted three or four mornings with Lady Tyrconnel, at her said house, when they were for a considerable time, and one morning for three hours alone together : and Loraine Smith twice visited Lady Tyrconnel at Lord Tyrconnel's country house at Randall's, in the county of Surry, in the absence of, and, as he believes, unknown to Lord Tyrconnel. He further saith, that Lady Tyrconnel, when in town, used frequently to ride out on horseback, and the deponent several times attended her ; and, at most of those times, Loraine Smith met her, and joined company with her ; and they rode together, sometimes in

Hyde-Park, and sometimes in the King's road, and generally parted before they came near home ; though he has sometimes come with her to the stables, which are at the back of the house : and the said Lady Tyrconnel used to frequent Ranelagh, Vauxhall, and all other public places, and scarce missed an evening being at one or other of them ; and the deponent constantly attended her on those occasions, and therefore knows that Loraine Smith almost always came out with her from such places, and was by her carried to his lodgings in her coach ; and the deponent observed that she always set down the rest of her company first, and Loraine Smith was the last person left in the coach with her, though she used sometimes to go greatly out of her way from Loraine Smith's lodgings, to have him the last in the coach with her ; and Lady Tyrconnel and Loraine Smith, were, by that means, alone together in her coach at different hours, from eleven at night till one or two o'clock in the morning ; but they were only so alone from the time the last person was set down, till they arrived

arrived at his lodgings, which was seldom more than a quarter of an hour at a time.

He further depofes and fays, that he has feveral times feen Lady Tyrconnel write cards, and, by that means, has fuch a knowledge of her hand-writing, as to know it when fhewn to him; and, having now carefully viewed the three letters or paper-writings now fhewn to him, marked D, E, and F, and the feveral fuperfcriptions on the envelopes or covers thereto, he faith, that he believes thr whole ferief and contents of the faid three letters now fhewn to him, to be of the proper hand-writing of Lady Tyrconnel; but thinks all the faid fuperfcriptions are in a larger hand than ſhe wrote: and he alfo believes, that Charles Loraine Smith, Efq. to whom the faid three letters are directed, and Loraine Smith, Efq. by him before-mentioned, was and is one and the fame perfon.

He further depofes and fays, that on the thirteenth of July laſt, and when Lord Tyrconnel was at his country houfe, at Randall's, ſhe, the faid Lady Tyrconnel, eloped from, and left his houfe.

SAMUEL MERRET.

28th November, 1776.

The Deposition of Samuel Dickweed.

SAMUEL DICKWEED, porter to the Right Hon. George Carpenter, Earl of Tyrconnel, aged forty years and upwards, deposes and says, that he now is, and for three years past has been, porter to Lord Tyrconnel, whom he hath known some years, and by that means came to know the Countess of Tyrconnel, his wife; and by being porter to Lord Tyrconnel, he came to know Charles Loraine Smith, Esquire, who seldom came to visit Lord Tyrconnel, but very frequently visited Lady Tyrconnel, at his house in Hanover Square, in his absence, and unknown to him, (as the deponent verily believes) and Charles Loraine Smith used generally to enquire first for one Mrs. Talbot, who was an acquaintance of her ladyship's: and the said Charles Loraine Smith, Esquire, at several of the times he so visited Lady Tyrconnel, used to be alone with her for a considerable time; and he particularly remembers, that on Tuesday the ninth of July last, Charles Loraine Smith came to
Lord

Lord Tyrconnel's house, and, after enquiring first if Mrs. Talbot was come, he asked if Lady Tyrconnel was at home; and the deponent told him she was; and then shewed him up stairs into the room where Lady Tyrconnel was alone: and he then staid with Lady Tyrconnel till past two o'clock, during which time the deponent went up with several messages, and always found Lady Tyrconnel and Charles Loraine Smith alone: and on Monday, the first of July, they went out alone together in Lord Tyrconnel's coach, to go to Lord Tilney's; and, when she went out, she left orders for a fresh pair of horses to be ready at eight o'clock, to fetch her from Vauxhall. He further saith, that Lady Tyrconnel almost every day, when in town, used to ride out, either on horseback, or in her carriage; and the deponent, almost every day, saw Charles Loraine Smith ride by in sight of the front of Lord Tyrconnel's house: and Lady Tyrconnel used as constantly, on his riding by, to order her horse or carriage immediately, and go out.

He

He further depofes and fays, that he has frequently feen Lady Tyrconnel write, and has received a great many letters from her, and is thereby well acquainted with her manner and character of hand-writing ; and having now carefully viewed the three letters or paper-writings now fhewn to him, marked D, E, and F, and the fuperscription on the envelopes or covers, now fhewn to him, he faith, that he verily believes the whole ferief and contents of all, each, and every of the faid letters, and alfo the faid fuperscription (except the fuperscription Charles Loraine Smith, Efq. pinned to the faid letter marked D) to be all of the proper hand-writing of Lady Tyrconnel : and he well remembers her woman giving him a letter to put in the poft, which was in a cover, directed in her ladyfhip's hand-writing, to Sir William Loraine, Baronet, at Kirk-Hall, near New-caftle ; and he is fure that Charles Loraine Smith, Efquire, to whom the faid three letters are directed ; and Charles Loraine Smith, Efquire, by him before-mentioned, was, and is one and the fame perfon.

He

He farther deposes and says, that on Tuesday the thirteenth of July last, when Lord Tyrconnel was at his country-house, at Randalls, in the county of Surry, and the rest of the servants were out, Lady Tyrconnel sent the deponent to get a chairman, to take a note to Miss Manners, which he accordingly did; but, before he returned, she had eloped from, and left the house: and being afterwards informed that she lodged at a house in Glanville Street, Rathbone Place, he, on the nineteenth of the said month went, out of curiosity, to the said street, to see if he could see her; and he did then see Lady Tyrconnel in a front room of a house in Glanville Street, and saw her look out at the window several times; and he then saw Charles Loraine Smith in the room with her; and he staid watching them from eight till eleven o'clock at night, when he came away; leaving Lady Tyrconnel and Charles Loraine Smith together in the said room. He further saith, that when she quitted the said lodgings, he, by her orders, got a cart to carry her things from thence to

D

her

her lodgings at Stanford Brook, near Turnham Green; where the deponent used to send her such letters as came for her, by the name of Mrs. Porter.

SAMUEL DICKWEED.

30th November, 1776.

The Deposition of George Galloway.

GEORGE GALLOWAY, now coachman to Mr. Brown, wine-merchant, on Tower-hill, London, aged twenty-seven years, deposes and says, that, on or about the eighteenth of February, 1776, now last past, he went to live as second coachman to the Earl of Tyrconnel, and continued to live with him as such for about seven months; and, by that means, came to know his wife the Countess of Tyrconnel, and also Loraine Smith, Esquire, by his being so frequently with Lady Tyrconnel. He further saith, that, whilst he so lived with Lord Tyrconnel, the said lady frequently rode out on horseback, although the deponent never attended her; but he saith that she used to go almost every night to Ranelagh, Vauxhall, or some other public

public place; and the deponent constantly drove her to and from such places; and therefore he knows that Loraine Smith always came out with Lady Tyrconnel from such places, and was carried home to his lodgings in her coach: and at all, or most of those times, Lady Tyrconnel used to set down the rest of her company first, so that Loraine Smith and she might be last in the coach together; though she sometimes went greatly out of her way, from Loraine Smith's lodgings, for that purpose: and twice he particularly remembers driving by the end of Portland Street, where Loraine Smith lodged, to set some company down in Portman Square; and then driving him and Lady Tyrconnel alone together to his said lodgings; and, by the means before mentioned, Lady Tyrconnel and Loraine Smith, Esquire, used to be several times alone together in her coach, at different hours, from ten or eleven o'clock at night till one or two o'clock in the morning.

He further deposes and says, that last Saturday four months, as he best remem-

bers the time, Lady Tyrconnel eloped from, and left Lord Tyrconnel's house in Hanover Square, at which time his lordship was at his country seat at Randall's, in the county of Surry, and the deponent has not seen her since.

GEORGE GALLOWAY.

2d December, 1776.

The Deposition of Elizabeth White.

ELIZABETH WHITE, spinster, now living at Mr. Bruce's, a tallow-chandler, at Putney, in the county of Surry, aged about thirty-four years, deposes and says, that, on St. Thomas's day, 1774, she went to live as house-maid to the Earl of Tyrconnel, and his wife the Countess of Tyrconnel, at their house in Hanover Square, in the county of Middlesex, and continued to live there till the twentieth of last month. She further saith, that, on Sunday the thirtieth of June last, Lady Tyrconnel was to go to Lord Tyrconnel, at his country seat at Randalls in Surry, and take one Mrs. Talbot there with her; but, as the deponent was informed, a party was
made

made for them, and Sir Thomas Clarges, and a Mr. Smith, to dine first at the Star and Garter, at Richmond: and the deponent having heard a great deal of talk about a Mr. Smith, who visited Lady Tyrconnel, did that morning enquire, and was informed which was he; and by that means she came to know the articulate Mr. Smith, who came first to Lady Tyrconnel's house in Hanover-Square, in the morning of the said thirtieth of June, and was alone with Lady Tyrconnel about an hour and an half, before Sir Thomas Clarges, or Mrs. Talbot came: and on the Tuesday, next before the Saturday on which Lady Tyrconnel left Lord Tyrconnel's house, Mr. Smith came to visit Lady Tyrconnel at the said house in Hanover-Square, and was then alone with her from between eleven and twelve, or about twelve o'clock at noon, till two o'clock in the afternoon; at which time Lord Tyrconnel was at his seat at Randalls.

She further deposes and says, that, as house-maid, it was part of her business to help make the beds, which she accordingly did;

did; and she, in that capacity, had also constant opportunities of seeing the shifts which Lady Tyrconnel wore; and saith, that some time about the middle of March last, Lady Tyrconnel parted beds with Lord Tyrconnel (but on what account she cannot say) and never afterwards slept in the same bed with him whilst she staid at his house, which was to the thirteenth of July last, when she eloped from his said house in Hanover-Square, at which time Lord Tyrconnel was at Randalls. She further saith, that whilst she so lived with Lord and Lady Tyrconnel, the said Lady Tyrconnel was regularly out of order every month, as women generally are by nature, till the twenty-seventh of May last; after which time, till she left the said house, the deponent is certain she was not out of order, as she had before constantly been.

The ✕ Mark of

ELIZABETH WHITE.

2d Decem-

*2d December, 1776.**The Deposition of Mary Jones.*

MARY JONES, spinster, now cook to the Countess of Tyrconnel, aged twenty-six years, deposes and says, that, on the twenty-ninth of July last, she first came to know Lady Tyrconnel, by being hired by her own maid, Ann Porter, to live with her as cook at a ready-furnished house, at Stanford Brook, near Turnham Green, in the county of Middlesex, ; and the deponent has ever since lived with her as such; and by that means she became to know a Mr. Smith, whom she never saw at the said house at Stanford Brook, but who has several times visited her at the ready-furnished house she removed to, at the Hope, at Hammer Smith; but never, as she knows of, staid all night at the said house. She further saith, that Lady Tyrconnel staid about five weeks at the said house at Stanford Brook, and then removed to the Hope; from whence he is now removed to town: but she does not appear to the deponent to be with child, nor has she any reason

reason to think she is. She further saith, that she has several times seen Lady Tyrconnel write, and is acquainted with the manner and character of her hand writing; and having now carefully viewed the three letters or papers, marked D, E, and F; and the superscription on the covers now also shewn to her, she saith, that she believes the whole contents of all and each of the said letters, to be of the proper hand-writing of Lady Tyrconnel; but cannot depose to the hand-writing of either of the said superscriptions: and she also believes that Charles Loraine Smith, Esq. to whom each of the said letters is directed, and Mr. Smith, by her before mentioned, was, and is one and the same person.

MARY JONES.

3d December, 1776.

The Deposition of Mary Mears.

MARY MEARS, spinster, now servant to Mr. Kingsley, in Distaff Lane, near Friday Street, London, aged twenty-two years, deposes and says, that, on or about the twenty-fifth of May last, she went to
live

live as servant to Mrs. Hooper, in Glanville Street, Rathbone Place, and continued to live there about five months ; and further saith, that when she had lived there about two months, (the timemore particularly she does not recollect) one Saturday night about ten o'clock, a gentleman, then a stranger to her, came to the said Mrs. Hooper's in a hackney coach, and enquired for lodgings for a single lady, just come out of the country ; and he was thereupon shewn the first floor, consisting of a dining-room and bed-chamber, which he approved of : and, on Mrs. Hooper's insisting on seeing the lady, and saying she did not like to let her lodgings to a single lady, as many of them were bad, and might get a bad name to the house ; the gentleman said she was a lady of good character, and he would be answerable for her character. He then handed a lady (who was a stranger to the deponent) out of the said coach ; and she went up and looked at the lodgings, which the gentleman then took for a week certain, at a guinea and an half a week ; and said the said lady should come to the lodgings in about two hours, which she accordingly did, but came alone ; and

she continued in such lodgings a fortnight ; and on the next morning the said gentleman came to see her ; and, after two or three days, he constantly visited her ; and sometimes came to breakfast, and staid till dinner ; and sometimes dined with her, and constantly drank tea and supped with her, and staid with her till twelve o'clock, and sometimes till half an hour after twelve, and at all times the said lady and gentleman used to be alone together ; and the deponent has heard her singing to him and laughing ; and heard her tell him he took a great many liberties with her, and that he had the greatest assurance of any man she ever knew. And she remembers, that one evening, when the said lady had been more than a week at her lodgings, and when the said gentleman was with her, the deponent going abruptly into the dining-room, saw the said gentleman and lady both on a sofa together, which was in the said room, and he was then kissing her : but, upon the deponent's coming in, they both started up in great confusion, and so quick, that the deponent cannot take upon her to say, whether they were



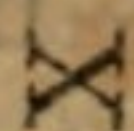
*Charles Loraine Smith Esq. & the Countess of Tyrconnel
amusing themselves on a Sopha.*

*See N.º 1 pa 34 of Trials for Adultery
Published as the Act directs by S. Bladon Oct. 14. 1780.*

were sitting or lying on the sofa. She also saith, that about two or three days before the said lady left the said lodgings, she sent the deponent for an old woman who lived in Pitt Street, and who she said had used to tell her fortune; and such old woman accordingly came that day, and also the next; when she came down into the kitchen, and asked the deponent if she knew who the said lady was; and on her saying, No—she told her, she was the Marquis of Granby's daughter, and wife to Lord Tyrconnel; and that the said gentleman was Captain Smith; and, when she left the said lodgings, she said she was going into the country: and, after she was gone, the said gentleman called and told the deponent, if any body came there and enquired for Captain Smith, to take in the messages. She further saith, that a day or two before the said lady left the lodgings, the deponent, as soon as the said gentleman (who we had been told was Captain Smith) was gone, which was past twelve o'clock at night, she went up stairs as usual to turn down the bed, but found the dining-room

E 2 locked,

locked, which she had never done before ; and, after waiting about five minutes, the said lady (who she had been told was Lord Tyrconnel's wife) opened the door, and let the deponent in ; and such lady was then quite undressed, and had on her night-shift and night-cap, which the deponent had never known to happen before, though she always went up as soon as the gentleman was gone.

The Mark  of
MARY MEARS.

3^d December, 1776.

The Deposition of Ann Hooper.

ANN HOOPER, of Glanville Street, Rathbone Place, in the parish of St. Pancras, in the county of Middlesex, aged twenty-nine years, deposes and says, that some time about the latter end of June last (as she best remembers the time) about ten o'clock of a Saturday night, a gentleman (then a stranger to her) came in a hackney-coach to the deponent's house, and enquired for lodgings ; upon which the deponent shewed

shewed him the first floor, consisting of a dining-room and bed-chamber only, and he approved of it, upon which the deponent asked him who it was for, and he said it was for a lady. On this the deponent objected to letting it, lest the reputation of her house should be hurt; but he told her the lady would see no company, and give very little trouble; that she was just come out of the country, and had desired him to assist her in getting her a lodging; and thereupon the deponent asked if she could see the lady; upon which the said gentleman went down, and immediately returned with a lady (then a stranger to the deponent) who approved of the said lodgings, which the deponent then agreed to let her for a week certain, at a guinea and an half a week, and she was to come to them that night, which she accordingly did in about an hour's time; she and the gentleman going away together, after she had taken the lodgings, where she staid a fortnight, and then said she was going into the country. She also saith, that during the time the lady lodged at the deponent's house, the said gentleman visited her every day,

day, and sometimes more than once a day, and he sometimes breakfasted and sometimes dined with her, but oftener supped with her, and at such times staid till after the deponent went to bed; and, at all such times, the said lady and gentleman used to be alone together. She further saith, that a few days before the lady left the said lodgings, the deponent's then servant, Mary Mears, had told her that a fortune-teller, who had been with the said lady, said she was Lady Tyrconnel; and Dr. Watson, who lodged in the deponent's second floor, also told her that the said lady was Lady Tyrconnel, which the deponent had before supposed, from what she read in the news-papers: and she also heard that the said gentleman was called Captain Smith, and the next day but one after the said lady (whom she now knows to be Lady Tyrconnel) left the said lodgings, the said Captain Smith called at the deponent's, as her said servant told her, and desired, if any letters came for Lady Tyrconnel, they might be sent to Hanover Square.

ANN HOOPER.

4th December, 1776.

The Deposition of John Shephard.

JOHN SHEPHARD, of Doctor's Commons, London, gentleman, aged twenty years and upwards, deposes and says, that the paper-writing, or exhibit, now shewn to him, marked with the letter C, was and is a true copy or extract of an original entry in the Register book of marriages, kept for the parish of Chiswick, in the county of Middlesex, and does agree therewith : and the deponent, on the twenty-eighth of October last, carefully examined the said paper-writing, or exhibit, now shewn to him, with the original entry in the said register book, then remaining in the custody of the clerk of the said parish, and found the same to agree therewith : and, from what he has been informed, he does believe, that the Right Hon. George Carpenter, Earl of Tyrconnel, mentioned in the said original entry, and whose title of honour appears subscribed thereto ; and the Right Hon. Lady Frances Manners, also mentioned in such original entry, and whose name appears subscribed thereto : and

and the Right Hon. George Carpenter, Earl of Tyrconnel, and the Right Hon. Lady Frances Manners, mentioned in the said paper-writing, or exhibit, marked C ; and the Right Hon. George Carpenter, Earl of Tyrconnel, the party producent ; and the Right Hon. Frances Carpenter, Countess of Tyrconnel, the other party in this cause, were and are the same persons.

JOHN SHEPHARD.

S E N T E N C E.

Upon hearing the depositions of the witnesses in this cause, a definitive sentence, or decree, was promulged to the following effect, *viz.* That the Countess of Tyrconnel, after the solemnization and consummation of the marriage, being altogether unmindful of her conjugal vow, &c. did, in the years and months libellate, commit the crime of Adultery with Charles Loraine Smith, &c. and did thereby violate her conjugal duty, &c. It is therefore pronounced and decreed, that the Earl of Tyrconnel shall be divorced &c. from bed, board, and mutual cohabitation with his wife, &c.

SIR PATRICK BLAKE

AGAINST

LADY BLAKE.

LIBEL given in the 26th of *November*,
1777.

THE Libel abovementioned sets forth.
That in the months of February,
March, and April, 1762, Sir Patrick Blake,
then Patrick Blake, Esq. a minor of the
age of twenty years, made his addressees in
the way of marriage to Dame Annabella
Blake (then Annabella Bunbury, spinster)
also a minor of seventeen years of age,
daughter of the Reverend Sir William
Bunbury, of Barton, in the county of Suf-
folk, Baronet, deceased : and on or about
the fourteenth of April aforesaid, the said
Patrick Blake and Annabella Blake were
lawfully joined together in holy matrimony.

F

That

That they consummated the said marriage, and lived and cohabited together as lawful husband and wife, and have now five children living, being the issue of such marriage. That on or about the month of October, 1772, Sir Patrick Blake, having occasion to visit his estates in the West Indies, went to the Island of St. Christopher's, accompanied by Dame Annabella Blake, his wife; and they continued to live and cohabit together as lawful husband and wife, till in or about the month of May, 1775; when the said Annabella Blake (the said Sir Patrick Blake's affairs requiring a longer continuance abroad) embarked alone for England, with the consent of her husband, in order to take care of their five children resident in England; that they parted upon the best terms, and Sir Patrick Blake gave his lady a power of attorney to act in all his affairs in England, and ample credit upon the merchant to whom his sugars were consigned from the Island of St. Christopher's. That the said Dame Annabella arrived in England in the month of June following, and for about three

three weeks resided in Sir Patrick Blake's house, in Queen Ann Street, Cavendish Square, and from thence went to his seat at Langham in Suffolk, where his said five children then were, and she continued to reside there till she eloped. That the said Sir Patrick Blake constantly behaved to his wife with the greatest love and affection; and the said Dame Annabella Blake, from the time of her arrival in England, to the month of April, 1776, constantly corresponded with Sir Patrick Blake in terms of the warmest affection. That in the months of March, April, and May, 1776, the said Dame Annabella Blake, not having the fear of God before her eyes, &c. did commence and carry on a criminal intercourse with George Boscawen, Esq. then an officer in the Horse Grenadier Guards, and a member in the present House of Parliament for the Borough of Truro, in the county of Cornwall. That, on Sunday the 12th of May, 1776, about four o'clock in the morning, the said Dame Annabella Blake eloped from Sir Patrick Blake's house at Langham; and, after a short time,

went with the said George Boscawen, Esquire, in his chaise, to Shooter's Hill, in Kent, where they took fresh horses and proceeded to Dover, and afterwards to France, where they frequently lay together in one and the same bed, and committed the crime of Adultery together, &c. The party deponent therefore prays that right and justice may be duly and effectually done in the premises, &c.

8th December, 1777.

The Deposition of Robert Mark.

ROBERT MARK, Butler to Jonathan Morton Playdale, Esq. of Clifton, near the city of Bristol, aged about twenty-two years, a witness produced and sworn, says, that some time in the month of May, 1775. to the best of his recollection as to the time, Sir Charles Bunbury, Baronet, (brother to Dame Annabella Blake, party in this suit) agreed with this deponent, whose friends he knew, to go to Portsmouth to wait for the arrival of the said Lady Blake, who was then expected from the West Indies ;

Indies ; and he gave the deponent a letter for Lady Blake. That some time about the twelfth of June following, the deponent arrived at Portsmouth, and waited there for about six weeks, when Lady Blake arrived from the island of St. Kitt's, in the West Indies : and the deponent thinks the ship that brought her was called the Princess Amelia : that Sir Patrick Blake did not come to England with his lady, and the deponent understood he staid in the West-Indies to settle some business. That Lady Blake, on her arrival, took the deponent into her service, and he waited on her to Sir Patrick Blake's house, in Queen Ann Street, Cavendish Square, and remained there about a fortnight ; when the deponent attended his said lady to Langham, near Bury, in the county of Suffolk, the seat of Sir Patrick Blake ; where the deponent staid with Lady Blake till about the twelfth of May, 1776, when he left Langham about five o'clock in the morning, and attended Lady Blake, who he thought was going to London ; but she did not travel the direct London road, for she
went

went first, with her own horses, to Stow Market, and then took post-horses through Colchester and Chelmsford, to the inn called the Green Man at Ilford in Essex, where he arrived the same day about three o'clock in the afternoon. That Lady Blake travelled by herself, in her own post-chaise, which had the letters P. B. on it. That the deponent and Lady Blake's own postilion, and the game-keeper, attended on the journey as far as Stow Market, and then only the deponent attended on horseback; the other two servants returning back to Langham. That, after Lady Blake had been at the said inn about an hour, a gentleman, then unknown to the deponent, with an Italian or foreign servant with him, arrived there in a post-chaise and four. That, after such gentleman had been at the inn about ten minutes, the waiter told the deponent the gentleman wanted him: that the deponent then went to him, who called the deponent by his name, which surprised him, and then asked him if Lady Blake was at the inn; and the deponent having said, Yes; he desired the deponent to give his compliments to her, and to say that
that

that his name was Richard Thompson ; that he was going in the country to her ladyship, to have acquainted her that a lady of her acquaintance was very ill and would be glad to see her. That the deponent accordingly went to Lady Blake, and delivered such message to her ; and she said she did not know him, but desired he would walk into the room. That the deponent having delivered such answer, the gentleman went into the room where Lady Blake then was sitting, which was a parlour below stairs. That, in about half an hour afterwards, or some short time, coffee having been carried into the parlour, the deponent was sent for, and directed by Lady Blake to take all her things out of her chaise, and to put them into the chaise in which the gentleman came ; and which was immediately done. That such chaise was not a common post-chaise, but belonged to the said gentleman, as the deponent understood, and believes. That Lady Blake's own chaise and a trunk (the contents having been emptied into the other chaise) were then left in the care of
the

the landlord of the said inn at Ilford. That, as soon as every thing could be got ready, Lady Blake and the gentleman left the said inn, in the post-chaise and four; and the deponent, and the foreign servant (whose name is Vincenzo Maro) followed on horseback. He further saith, that though he did not, at the said inn at Ilford, know the said gentleman, yet he afterwards found, and well knows him to be George Boscawen, Esquire, an officer in the Horse Grenadier Guards, and a member for Truro in the county of Cornwall; and the deponent hath often seen him frank letters, which had been left for that purpose, at his house or lodgings at Tingmouth in Devonshire.

He further says, that, from the said inn at Ilford, Lady Blake and George Boscawen, Esquire, went to Shooter's Hill, and from thence, on the same day, to Dartford, in Kent, to the inn called the Granby Head, where they took fresh horses; and the deponent and the said Vincenzo Maro, took a chaise and pair, and followed them on directly to Dover; where they arrived
(having

(having travelled all night) about five o'clock the next morning, to wit, Monday the 13th of May, 1776, as the deponent best remembers the time. That the deponent thinks the inn they went to at Dover was the sign of the Ship: that Lady Blake and Mr. Boscawen breakfasted at the said inn at Dover: that they were then called Mr. and Mrs. Thompson, by which name Mr. Boscawen had, when he was at Shooter's Hill, desired the deponent to call them. That, as soon as breakfast was over, Lady Blake, and Mr. Boscawen, and this deponent and the said Vincenzo Maro, and another servant (whose name was Schallon, and who had ordered a vessel to be ready to carry them to Calais, and who was waiting at Dover, having first ordered horses at the several stages they came to from Shooter's Hill) all went on board the vessel, and arrived at Calais about one o'clock on the said Monday: and they all went to an inn there called the Silver Lion, and staid there that night: that Lady Blake and Mr. Boscawen supped together that night, but the deponent doth not know where they lay in the said inn, for

he did not go up stairs, but saith that they passed for, and were treated there, and all the way, like husband and wife. That the next day, after dinner, they all set off for Paris, and lay that night at an inn at St. Omer's, but the deponent knows not the name of the inn, nor does he know how, or in what apartments Mr. Boscawen and Lady Blake lay: but the deponent carried the chaise-seat into the bed-chamber where he understood the said lady was to lie. That the next day, in the morning, they all left St. Omer's and set off for Paris, where they arrived in one day or two, but he forgets which, where they lived in an hotel, or private lodgings, but he does not know the name of the same. That they all continued at Paris for about three or four days, and then set off for Bourges in the Province of Berry, which the deponent understands is about sixty leagues from Paris, and then arrived at Bourges in about four days: and went to an inn there called, in English, the Bull, where they staid about three weeks; except that the servant they brought from Dover, called Schallon, went away in about two or three days, he
being

being a Frenchman, and having a father and mother living in France, That, after Lady Blake and Mr. Boscawen, and this deponent, and Vincenzo Maro, had lived at Bourges about three weeks, they removed to a house called Chateau de Mau-branché in the country, about six or seven miles from Bourges: that the deponent well knows, that while they were at the inn at Bourges, Lady Blake and Mr. Boscawen lay in a two-bedded room, and that neither of them had a separate room to lie in during that time, because the deponent hath seen them go into the same room at night, and come out of the same room in a morning, and there was no other they could lie in; and the deponent lay in the room under that in which Lady Blake and Mr. Boscawen lay, and hath heard them talking together in such room, and hath seen Mr. Boscawen with his night-cap on at the said inn, when Lady Blake has been in the said bed-chamber. That, as soon as they arrived at Bourges, Mr. Boscawen directed the deponent, as well as the other two servants, not to call him and the lady

any longer by the name of Mr. and Mrs. Thompson, but to call them Mr. and Mrs. Boscawen, which was accordingly done; and they passed as husband and wife, and were called or went by the names of Mr. and Mrs. Boscawen. That some time about the end of June, or beginning of July, 1776, the said house called Chateau de Maubranche was taken, and Lady Blake and Mr. Boscawen lived therein, from that time till some time in April or May last, when they returned to England, from Bourges to Paris, and then to St. Omer's, and from thence to Calais, and so to Dover; and the deponent and Vincenzo Maro attended them the whole time. The deponent further saith, that during the whole time Mr. Boscawen and Lady Blake lived at their country-house, called Chateau de Maubranche, they lived and cohabited together, in all respects, like husband and wife; and, during all that time, had and used one and the same bed: and the deponent, who was Lady Blake's own servant, used chiefly to wait on her; and the deponent used frequently to be rung up stairs into

into the bed-chamber, to bring something that has been wanted, and has seen Lady Blake and Mr. Boscawen both in the said room ; Lady Blake preparing to go to bed, and Mr. Boscawen, at the same time, in his night-cap, with a thin waistcoat on ; and the deponent hath been up stairs, and carried things for breakfast into the said bed-chamber, when either Lady Blake or Mr. Boscawen was not well, and saw them both in the said room together ; and the deponent remembers once carrying up tea for breakfast, when Mr. Boscawen was not well, and kept his bed, with a pain in his side and stomach, and the deponent saw him in bed, and Lady Blake (who was then up) gave him tea in bed ; and, in the afternoon of that day, as well as on the other afternoons, the deponent carried tea into the said bed-chamber for Lady Blake and Mr. Boscawen : and one day the deponent went into the parlour, and saw Mr. Boscawen just at that time kissing Lady Blake ; and once he remembers, when they were in France, seeing Mr. Boscawen kiss Lady Blake when they were then on horse-back.

back. That during the whole time they lived in the country-house near Bourges, Lady Blake and Mr. Boscawen used and occupied but one bed-chamber, with only one bed therein; in which they both constantly lay naked and alone, and committed the crime of adultery together. That, on their return to England, they staid two or three days at Paris, and also two or three days at St. Omer's, at an inn called the Post-house. That, just before they came to Calais, Mr. Boscawen directed the deponent to call him and the Lady Mr. and Mrs. Wilson: that they staid one night at Calais, but the deponent knows not how they lay there, nor on the road, save that they lay at the Silver Lion at Calais. That they staid one night at Dover, and then went on to Brighthelmstone, where they dined at the sign of the Ship; from thence they went to Chichester, through towns the names of which he does not know, leaving Portsmouth on the left-hand; from thence to Exeter in Devonshire, where they slept one night, and then went to the Globe Inn at Tingmouth, about thirteen or fourteen miles

miles from Exeter. That they staid at such inn for about a week or more, and they then took lodgings at Tingmouth, at the house of one Randall, a cooper there, where they continued about seven weeks: that, after they had been at the said Randall's house about a month, Vincenzo Maro left Mr. Boscawen's service, and one Hannah Jewers, a maid-servant, whom the deponent knew at Langham, and who had lived as a nursery-maid to Lady Blake's children, came to Lady Blake to live with her, at the said Randall's, Lady Blake having wrote for that purpose, and the said servant being then out of place. That, during the time they staid at Tingmouth, Lady Blake and Mr. Boscawen had but one bed-room, for their own use, and one bed in it: and this deponent hath, when he hath known Lady Blake to have been in the said bed-room, seen Mr. Boscawen over night, in his night-cap, going into the said room, and has in a morning seen him come out in his night-cap. That the deponent doth firmly believe that Lady Blake and Mr. Boscawen did constantly lie together

gether while at Tingmouth, in one and the same bed, naked and alone, and committed the crime of adultery together : and the deponent hath, at night, and in a morning, heard Lady Blake and Mr. Boscawen talking together in the said bed-chamber. That, after they left Tingmouth, they removed to Sheldon, about a mile from thence, and took a house to themselves ; and the deponent staid with them there about four or five weeks, or more ; when he left their service, and went to live with Mr. Playdale at Clifton, where he now resides, and with whom he has lived pretty near four months. That Lady Blake and Mr. Boscawen were called Mr. and Mrs. Boscawen, as well at Sheldon as at Tingmouth ; but the people in and about Sheldon used to suspect her to be Lady Blake, and she had letters directed to her as Lady Blake ; but she was not visited, on account of her connection with Mr. Boscawen. That Lady Blake and Mr. Boscawen lived and cohabited together, in all respects, like husband and wife ; and as far as ~~the~~ the deponent saw or knew, and, as he
verily

verily believes, used to lie, when at Sheldon, naked and alone, in one and the same bed ; and he has very often heard them speaking together when he has gone up stairs to the bed-chamber (where they lay) with a shirt or handkerchief, or the like, for Mr. Boscawen. And the deponent saith, that when he left Langham in May 1776, with Lady Blake, she had five children by her husband Sir Patrick Blake, the producent, some of which were then at Langham ; Master Blake, the eldest son, being then at school. That the deponent never saw Sir Patrick Blake till yesterday to his knowledge ; and he then saw him at his house in Charles Street, near the Middlesex Hospital. That the deponent believes Lady Blake still cohabits with Mr. Boscawen, for he saw her at Mr. Boscawen's house at Sheldon about two months ago.

The Mark 8 of
ROBERT MARK.

H

8th Decem-

*8th December, 1779.**The Deposition of Mark Gibbard.*

MARK GIBBARD, master of the inn, known by the sign of the Green Man, at Ilford, in the county of Essex, aged forty-five years, says, that on Sunday the 12th of May, 1776, to the best of his knowledge and belief as to the time, a lady came in a post-chaise, about one o'clock, to the deponent's house, or inn, called the Green Man, at Ilford, in Essex. That the lady was alone in the said post-chaise, and was attended by one servant, a young man, on horseback; that the lady had a remarkable white French dog with her in the carriage: that the post-chaise was painted green, and had a cypher on it, which was P. B. That such lady dined soon after she came to the inn; and, in about an hour after she first arrived at the inn, a gentleman in a post-chaise arrived there; and, as the deponent best remembers, he asked for the lady who owned the carriage with the letters P. B. for a cypher:

pher: that he went into the room to the said lady, and they drank coffee together there: and, in about an hour and an half, the said lady and gentleman went away together in the gentleman's post-chaise, and were followed on horseback by their servants, to wit, by the servant who came with the lady, and the servant who came with the gentleman: that the lady's things were taken from her chaise, and put into the gentleman's carriage; and the lady left her chaise and an empty trunk in charge with the deponent to keep till sent for, That the said lady and gentleman were and are strangers to the deponent. He further saith, that in about seven or eight days after the said lady's post-chaise had been left at his house, or inn, he received a letter, signed Charles Bunbury, informing him, that the chaise left at the deponent's house belonged to Sir Patrick Blake; and desired it might be taken care of till sent for: and, on or about the twenty-sixth of May, 1776, a gentleman, who said his name was Murphy, came and demanded the said carriage,

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riage, and gave the deponent a * receipt for the same, and for the said empty trunk. That the deponent well remembers a gentleman, like a clergyman, took notice of the chaise as it stood in the deponent's yard, a few days before the deponent received the said letter; and he asked the deponent how long he had had it, and said it belonged to Sir Patrick Blake. That the deponent thinks the said gentleman's name was Woolaston. He further saith, that he learned from his ostler, when they returned, that they had carried the said gentleman and lady to Shooter's Hill.

MARK GIBBARD.

* Ilford, May the 27th, 1776, Received then of Mark Gibbard, at the Green Man in this place, a green post-chaise, with P. B. by way of cypher, the property of Sir Patrick Blake, Bart. left with Mr. Gibbard on Sunday the 12th day of this present May by Lady Blake, together with an empty trunk; I say received by me, for the use of Sir Patrick Blake, by virtue of a power of attorney from Sir Patrick Blake.

ARTHUR MURPHY.

No. 1, LINCOLN'S-INN.

8th Decem-

*8th December, 1777.**The Deposition of Amos York.*

AMOS YORK, waiter at the inn at Ilford, in the county of Essex, known by the sign of the Green Man, aged twenty-five years, a witness produced and sworn, deposes and says, that he well remembers that, about a twelvemonth ago last May, he being then a waiter at the Green Man inn at Ilford, that a lady came in a green post-chaise and four horses, from Ingatestone, and that such chaise had a cypher on it which was P. B. and the said lady dined there. That, when she came to the inn, she was attended by one servant on horseback: that, in about an hour after the lady came, a gentlemen in a post-chaise and pair arrived at the said inn, and there was a servant in the said chaise with the gentleman: that the deponent understood from the boy, that the gentleman came from Oxford Road: that the deponent well remembers that such lady and gentleman went away together in the gentleman's chaise, which had then four horses, and

and that the lady's luggage was put into the gentleman's chaise : that, when the boys returned, they said they had been to Shooter's Hill : that the lady and gentleman's servants both attended on horseback : that the lady's carriage was left at the said inn called the Green Man, then and now kept by Mark Gibbard : that the carriage was taken by a gentleman in about a fortnight afterwards, and the deponent then understood that his master had received a letter from Sir Charles Bunbury, informing him that the said carriage belonged to Sir Patrick Blake.

AMOS YORK.

10th December, 1777.

The Deposition of Vincenzo Moro.

VINCENZO MORO, (servant to Mr. Ozias Humphrey, of Newman Street, Oxford Street, in the county of Middlesex, limner) aged twenty-three years and upwards, a witness produced and sworn, deposes and says, that he was born in Venice ; that on or about the twentieth of October, 1775, he being then a hair-dresser at
Turin,

Turin, attended at an inn there to dress an English gentleman, whom he now well knows to be George Boscawen, Esquire, and who then went by the name of Boscawen, and who then took the deponent into his service, and the deponent continued to live constantly with him in Italy, France, and England, from the said 20th of October, 1775, till the month of June, 1777. That, in December, 1775, the deponent attended Mr. Boscawen to England: and he further saith, that after the deponent had been in England about five months, and, as he thinks, about the tenth or twelfth of May, 1776, he attended his master, Mr. Boscawen, in his post-chaise (from their lodgings at the house of Mr. John George, No. 166, in Oxford Street) to a place, or town, about ten miles from London, but he knows not the name of such place; that they went to an inn there; that it was on a Sunday about three or four o'clock in the afternoon, he thinks, when they came to the inn; that, after they had been at the inn about half an hour, Mr. Boscawen and a lady he met at
the

the said inn, went away together in his post-chaise, with four horses: that, previous to their leaving such inn, the deponent helped the said lady's servant to put some things, which he took out of his lady's chaise, into Mr. Boscawen's chaise: that the deponent well knows such servant to be his fellow witness in this cause, Robert Mark, whom he saw yesterday morning. That such lady was quite a stranger to the deponent at the said inn; but having known her from the said Sunday, till he left his master's service, he now well knows her to be Lady Blake, party in this cause. That the deponent and Robert Mark followed Mr. Boscawen and Lady Blake from the said inn to Dover, where they went, without stopping, except to change horses. That they arrived at Dover the next morning, about four o'clock, and they breakfasted there; that one Schallon, another servant of Mr. Boscawen's, was waiting there, and had got a vessel ready to carry them to Calais; and they went on board after breakfast, and arrived at Calais in four hours: that they
staid

staid at Calais at the house, or inn, called Lion D'Argent, till the next day, and then set off for Paris: and the deponent remembers that his master and lady had separate rooms to sleep in at Calais, but they were opposite to each other: that they staid three days at Paris, and lodged at the Hotel, called Montpencier, near the Luxembourg; and there Mr. Boscawen and Lady Blake had separate bed-chambers: that, from Paris, they went to Orleans, and staid there two days at the Hotel, called L'Empereur; but knows not how his master and the said lady lay there. That, from Orleans, they went to Virjean, and staid there one night at the Post-house; and from thence went to Bourges, in the province of Berry, which the deponent thinks is near fixty leagues from Paris: that, at Bourges, they all staid three weeks at an inn, called Le Beuf Couronné; and during the whole of that time, Mr. Boscawen and Lady Blake lay in a two bedded room, and they were called Mr. and Mrs. Boscawen, and passed for, and lived and cohabited together like husband and wife.

I

That

That the deponent used always to put Mr. Boscawen's hair in order, and generally to put on his night-cap ; and used sometimes to do it in the said two bedded room : and the deponent sometimes saw Mr. Boscawen go into the said bed-room of an evening, and come out in his night-cap in a morning, when he knew Lady Blake was in the said bed-chamber, by having heard her voice : and the deponent hath been to call Mr. Boscawen up in a morning, and rapt at the chamber-door when he knew Lady Blake slept there ; and he has been in the said chamber in a morning when Mr. Boscawen and Lady Blake have been there, and both in their morning drefs ; and the deponent, in his own conscience, believes they used to lie together in one and the same bed, and had connection or commerce with each other, like husband and wife. That after they had lived at Bourges about three weeks, Mr. Boscawen, Lady Blake, Robert Mark, and this deponent, went to live in the country about six miles from Bourges, in a house called Chatteau de Maubranche ; that they went there in June 1776, and staid there (having taken a cook and a French servant

servant maid for Lady Blake) till May 1777: in all about eleven months. That the deponent verily believes, Mr. Boscawen and Lady Blake, during the whole of the said time constantly lay together in one and the same bed, at the said country house, for the deponent never knew of their having there more than one bed-chamber, and one bed therein for them both: and the deponent frequently saw Mr. Boscawen, at night, going into such bed-chamber, and coming out in a morning: and the deponent always dressed Lady Blake's hair in a morning, in such bed-chamber, and sometimes Mr. Boscawen was there present. That Mr. Boscawen and Lady Blake lived and cohabited together, in all respects, as husband and wife, in the said house, and went by the names of Mr. and Mrs. Boscawen; and the deponent remembers carrying up things for breakfast once, when Mr. Boscawen was in bed, he being then indisposed; and the deponent and Robert Mark went both into the room, and saw Mr. Boscawen in bed, and Lady Blake made the tea in the bed-chamber,

chamber, for the deponent to hand to his master. And the deponent further saith, that on the first of May last, Mr. Boscawen was very angry with him, and gave him to understand that the deponent had revealed the secret; for that he had mentioned, that he (Mr. Boscawen) and the lady (Lady Blake) were not man and wife, and he was going to have discharged this deponent from his service; but the deponent assured him that he had not said any such thing. That Lady Blake was present at the time: that the deponent had, indeed, said to a friend at Bourges, that since the lady had been with his master, he was much altered, and not so good to the deponent as he was before. That the deponent did tell his said master and mistress, that he had said as much as that; and that he had been asked several times if they were man and wife, but that he had always insisted they were man and wife. That about the middle of the said month of May, Mr. Boscawen and Lady Blake, this deponent, and Robert Mark, all left the said house, called Chatteau de Maubranche,

Maubranche, in order to return to England. That the before-mentioned servant Schallon, had attended his master from Dover as far as Bourges, where he staid about two days, and went away to see his relations who lived in France; that they returned to Paris, and so on to Calais, in the same manner they went, and embarked for Dover; that they went from Dover through many places (but the deponent knows not their names) till they came to Exeter, where they staid one night at the London inn there; and then they went to Tingmouth (about fourteen miles from Exeter) and lodged at an inn there, called the Globe, for two or three days; and, from the Globe inn, they went to lodge at the house of one Mr. Randall, who was a cooper in Tingmouth. That, after they had lived there about a month, the deponent left Mr. Boscawen's service, and went to Exeter to follow his own business of an hair-dresser, at one Mr. Pearce's in Exeter, where he met with his present master, Mr. Humphrey; that, during the whole time they lived in Tingmouth, Mr.

Boscawen

Boscawen and Lady Blake lived and cohabited together as husband and wife, and lay in one and the same bed, to the best of this deponent's knowledge and belief; and they went by the name of, and were called Mr. and Mrs. Boscawen. The deponent further saith, that when he and his master, Mr. Boscawen, set off together in a post-chaise, and went to the inn about ten miles from London, as herein before set forth, his master wrote down the name Thompson on a card or piece of paper, and said "That is my name now," or he spoke in Italian to that very effect: and, when they came to Bourges, he told the deponent not to call him and the lady any longer Mr. and Mrs. Thompson, but call them Mr. and Mrs Boscawen. And the deponent further saith, that, about a fortnight before he left Tingmouth, his fellow witness, Hannah Jewers, came, as lady's maid, to wait on Lady Blake; and the deponent left her in Lady Blake's service in Tingmouth: that, after they had left Paris, and before they reached Bourges, but not long before, Robert Mark informed this deponent that
his

his said mistress was a married woman, and that she had five children, and that she was Lady Blake, and that her husband was Sir Patrick Blake, and that he was in the West Indies.

VINCENZO MORO.

10th of December, 1777.

The Deposition of Hannah Jewers.

HANNAH JEWERS, of No. 21, in Duke Street, near Grosvenor Square, in the county of Middlesex, spinster, aged thirty years and upwards, a witness produced and sworn, deposes and says, that she very well knows Sir Patrick Blake, Bart. and Dame Annabella Blake, his wife, parties in this cause, and hath so done ever since their marriage, which is upwards of fifteen years ago; for the deponent lived as a servant to Sir Patrick Blake, shortly before, and at the time of their marriage; and was, after their marriage, taken as nursery maid; and attended their children, as well at their house in Queen Ann Street, Cavendish Square, as at Langham in Suffolk:

folk : and they have had fix children (five of which are still living) to wit, three sons and three daughters ; and the said parties in this cause, ever since their marriage, lived and cohabited together as lawful husband and wife, till about the month of May, 1775 : and the deponent further saith, that, four years ago last summer, Sir Patrick Blake and Lady Blake, his wife, went together to St. Kitt's in the West Indies, and staid there till the said month of May, 1775 ; when Lady Blake returned to England, leaving Sir Patrick Blake abroad, who was prevented coming to England with her ladyship, on account of some business he had to settle abroad : that, during their absence, the deponent had the care of their youngest son, That, as the deponent best recollects, Lady Blake arrived in England in the summer of the year 1775, and then went to Queen Ann Street, where she staid at Sir Patrick Blake's house a few weeks, and then came to Langham (Sir Patrick Blake's seat) and staid there till the 12th of May, 1776 ; when she left the house. That the deponent well remembers,

members, it was on the 12th of May
aforesaid, because it was two days before
the birth-day of Mr. Bromley, (the son of
Lord Mountfort) who was then at Langham,
but not at Lady Blake's house. And she
farther saith, that, to the best of her know-
ledge, and as far as she ever saw, Sir Pa-
trick Blake and Lady Blake (when they
lived together) behaved very properly and
agreeably to each other; and when Lady
Blake returned to England from the West
Indies, she used to write to Sir Patrick
Blake, as the deponent understood and be-
lieves, till the time she left or eloped from
Langham as aforesaid. She further depo-
ses and says, that she knows George Bos-
cawen, Esquire, and came to know him
about four years ago last summer, he being
at Sir Patrick Blake's house at Langham,
on a visit for about a fortnight, about the
time Sir Patrick and his lady were going to
St. Christopher's. That the deponent never
saw Mr. Boscawen, from the time of such
visit, till she saw him with Lady Blake at
Tingmouth. And the deponent farther
saith, that the 12th day of May, 1776, was
on a Sunday, and Lady Blake went away

from the house very early in the morning ; and one day, in the course of the week before she went away, she said she was going to London, and bid the deponent take care of the children, but did not say when she should return, any farther than that she should not be gone any length of time. That Robert Mark went with Lady Blake, and that she went away in her own post-chaise. She further deposes and says, that, on the sixteenth of May last, 1777, to the best of her remembrance as to the time, she left the service of Sir Patrick Blake, the youngest son being then put to school ; and, in June following, the deponent was informed by Mrs. Jane Davis, the late house-keeper in Sir Patrick Blake's family, that she had received a letter from Lady Blake, desiring her to send the deponent to her at Tingmouth, if the deponent was not then in Sir Patrick's service. That accordingly the deponent went, in the Exeter post-coach, to Tingmouth in Devonshire, and there found Lady Blake in a lodging at one Mr. Randall's, a cooper ; and Mr. Boscawen was with her : that it was

was in the last week in June that the deponent went to Tingmouth, and the deponent remembers, it was shortly before Exeter races, which were the beginning of July last. That Mr. Boscawen and Lady Blake then lived and cohabited together, in all respects, as man and wife. That the deponent waited on Lady Blake for three weeks at Tingmouth, and Robert Mark and Vincenzo Moro were both in Lady Blake's and Mr. Boscawen's service, when the deponent came to Tingmouth; and Moro went away soon afterwards, and Robert Mark continued till they moved to Shalldown, across Tingmouth Ferry: that from Tingmouth they went to Shalldown afore said, where the deponent waited on Lady Blake for upwards of twelve weeks, during the whole of which time Lady Blake and Mr. Boscawen lived and cohabited together as man and wife. That, from Shalldown, they removed to Washfield, near Tiverton in Devonshire; but the deponent did not go to live there, for Lady Blake told the deponent she had thoughts of going abroad, and she could

not therefore keep the deponent any longer, or to that effect: That, at Shalldown aforesaid, Mr. Boscawen and Lady Blake had a small house, and used and occupied only one bed-chamber, with one bed therein for themselves. That the deponent never saw them together, but has frequently attended Lady Blake in the said bed-chamber, on her undressing to go to bed; and Mr. Boscawen hath come into the room at the time: and, on the deponent's leaving the room, Mr. Boscawen hath locked the door, at the same time having his night-cap on; from all which circumstances, the deponent can think no otherwise but that Lady Blake and Mr. Boscawen at Tingmouth, as well as at Shalldown, lay together naked and alone in one and the same bed, and committed the crime of adultery together. And she lastly saith, that, to the very best of her knowledge and belief, Sir Patrick Blake hath not lived or cohabited with, or had any intercourse whatever with Lady Blake, his wife, since she left him in the West Indies, as aforesaid; and further she cannot depose, save that when the deponent

ment lived at Tingmouth and Shalldown, Lady Blake was called by her own name, or title of Lady Blake, and George Boscawen, Esq. was called Mr. Boscawen.

HANNAH JEWERS.

12th December, 1777.

The Deposition of Edward Wallwyn Shepherd.

EDWARD WALLWYN SHEP-
HEARD, of Boswell Court, Carey Street,
in the county of Middlesex, aged twenty
years and upwards, a witness produced and
sworn, saith, that he well knows the said
exhibit marked No. I. to be or contain a
true copy of the original entry of the mar-
riage of Patrick Blake and Annabella
Blake, formerly Bunbury: and to have
been duly extracted from the original book
of marriages, kept in and for the parish of
Burton Great, in the county of Suffolk,
and to agree therewith, by reason that this
deponent did, on or about the second of
November last past, duly make the said
copy or extract from the original re-
gister,

gister, and did also carefully collate the said copy with its original entry, therein contained, and found the same to agree therewith : and, in testimony of his having so done, he wrote and subscribed the memorandum or certificate underneath the said copy or extract, which certificate, and name Edward Wallwyn Shepheard, thereto subscribed, the deponent now viewing, faith, were and are of the deponent's own hand writing, and that he thereby well knows it to be the same copy or extract he made and collated. And he further faith, that he knows and is acquainted with Sir Patrick Blake, Bart. the pro-
ducent in this cause, and doth believe that Patrick Blake and Annabella Bunbury, mentioned in the aforesaid original entry, and in the aforesaid paper-writing or extract, marked No. I. and whose names are subscribed to the said original entry, and the said Patrick Blake and Annabella Blake, formerly Bunbury, parties in this cause, were and are the same persons.

EDW. WALL. SHEPHEARD,

*16th January, 1778.**The Deposition of George French.*

GEORGE FRENCH, of Newman Street, Oxford Road, in the county of Middlesex, Esq. aged thirty-eight years and upwards, a witness produced and sworn, deposes and says, that he well knows Sir Patrick Blake, Baronet, and Dame Annabella Blake, his wife, the parties in this cause; that they arrived at St. Christopher's in the ship Rowley, Capt. Hagan, from England, on or about the fifteenth of December, 1772, to the best of the deponent's knowledge and belief as to the time. And the deponent was then resident at St. Christopher's. That they continued to live there, and visit, about the West India Islands, from the time of their said arrival, till on or about the sixteenth of April, 1775, when Lady Blake, with the consent of her husband, Sir Patrick Blake, embarked in the ship Mary, Capt. Beaty, for England; and the deponent was on board the said ship; and, after being about ten days at sea, the said ship sprung a leak, and
was

was obliged to put back to St. Christopher's, where they staid till the first of May following; and Lady Blake then embarked again in the said ship Mary, and sailed for England, and arrived at Portsmouth between the twentieth and the twenty-second day of June, 1775; and from thence Lady Blake came to London. That this deponent was a passenger in the same ship with Lady Blake, from St. Christopher's, and came with her to London in June aforesaid. And he further saith, that during the time the said Sir Patrick Blake and Lady Blake lived at St. Christopher's, the deponent was intimately acquainted with them, and knows they lived together as lawful husband and wife, and were looked upon as such: that, during the voyage, on Lady Blake's return to England, she used often to express herself as much concerned, and very uneasy at leaving her husband, Sir Patrick Blake, at St. Christopher's, where the business of his plantation detained him; and she also said, that she came away before him, for the purpose of superintending the education of his children in England,

England, and for the re-establishment of her own health, which the deponent believes was true. And the deponent further saith, that he left Sir Patrick Blake at St, Christopher's, on the first of May, 1775, and the deponent believes he staid there till the summer of the year following, and that he arrived in England some time in or about September 1776; and the deponent further saith, that he well knows that Sir Patrick Blake gave Lady Blake a power of attorney, on her coming to England, to act jointly with his other attorney, in all his affairs in England, and that he gave her credit for a certain annual allowance: that soon after Lady Blake's arrival in England, she went to reside at Sir Patrick Blake's seat at Langham in Suffolk, with his five children: that the deponent verily believes, that, from May, 1775, when Lady Blake left St. Christopher's, Sir Patrick Blake hath never lived or cohabited, or had any intercourse whatever, with Lady Blake; that the said parties in this cause parted upon very friendly and affectionate terms, to the best of the deponent's knowledge

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ledge and belief; and, during Lady Blake's residence alone in England, she frequently regretted to the deponent the absence of her husband, Sir Patrick Blake, and often expressed her wishes for his return.

GEORGE FRENCH.

S E N T E N C E

Upon hearing the depositions of the witnesses in this cause, a final sentence or decree was promulged to the following effect, *viz.* That Dame Annabella Blake, after the solemnization and consummation of the marriage, &c. did, in the years and months libellate, commit the crime of adultery with George Boscawen, Esq. and did thereby violate her conjugal duty, &c. her husband, Sir Patrick Blake, Bart. is therefore divorced from bed, board, and mutual cohabitation with the said Dame Annabella Blake, &c,

C H A R L E S D A L Y, E s q.

A G A I N S T

A N A S T A T I A D A L Y.

LIBEL given in the 27th of *June*,
1767.

IN the abovementioned libel, Charles Daly, Esquire, of the Parish of St. George, Hanover Square, in the county of Middlesex, sets forth, that he was, and is, a gentleman of an antient family and considerable estate in the county of Galway in Ireland; that, on or about the twenty-ninth of April, 1747, he intermarried with Anastatia Daly, his cousin, and daughter of Peter Daly, of Quansbury, in the county of Galway, Esq. that they cohabited together for divers years then next following. That in or about the month of November, 1761, he, the said Charles Daly,

came from his seat in the county of Galway to Dublin, to attend his duty there in the House of Commons as representative for the said county, and continued in Dublin with his wife and family till the rising of the Parliament, which happened in or about the month of May, 1762, That during the time of his residence in Dublin, the Right Hon. Francis Thomas Fitzmaurice, Esq. commonly called Earl of Kerry, became acquainted with Anastatia Daly, his wife, paid her great attention, was observed to be always near her at public places, and to take particular notice of her: that the said Anastatia Daly was seduced by the said Earl of Kerry to withdraw her duty and affection from her husband, and to hold a criminal conversation with him. That at the rising of the Parliament in or about May, 1762, the said Charles Daly, Esq. desired his wife to return with him to his seat in the country at Loughrea, which she declined under pretence that she was in a bad state of health, and thought it necessary to have the advice of Dr. Smith, an eminent physician of Dublin,

Dublin, and that it would be also necessary that she should stay at Dublin to carry on a suit they had in the Exchequer; which pretended reasons occasioned Mr. Daly's not insisting upon her then leaving Dublin, but went into the county of Galway without her, where he continued till about the month of October then next following, when he received a letter from Lady Kingland, a sister of the said Anastatia, that she was ill at Lady Kingland's house at Turvey, about eight miles from Dublin; that he went thither to her, and continued there for some time till she recovered, and then accompanied her to Dublin, where, after staying with her two or three days, he again pressed her to go with him into the country, which she refused to comply with, alledging, that her health required her continuing at Dublin to be near her physician. The said Charles Daly thereupon went into the country without her, and continued there till about February, 1763, when he returned to Dublin, and staid with his wife for about three days, when she refused to admit him
to

to her bed, telling him, that Dr. Smith had advised her against laying with him, for that it would probably be the death of her. He thereupon returned into the country, and resided in the county of Galway during most part of the following summer, during which time he frequently sent letters to the said Anastatia, pressing her to come into the country to him, but all to no purpose. That the said Anastatia, upon the death of her father, which happened in or about the year 1757, became entitled to, and hath since received and enjoyed to her own separate use, upwards of five hundred pounds a year, being a third part of the income of her said father's estate, during the life of her mother, who hath besides a jointure of upwards of one thousand pounds a year out of the said estate, which, after her death, will descend to Anastatia Daly and her two sisters. That in or about the month of November, 1763, the said Charles Daly then continuing in the county of Galway, received information that many reports were spread to his wife's dishonour, respecting her conduct and intimacy with
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the Earl of Kerry; whereupon, in the beginning of January, 1764, he set out for Dublin, and, upon his arrival there, went to the house where the said Anastatia then lived, in Clare Street, and went directly into her dressing-room, and told her he was come to take her into the country: that she at first refused to go with him, but upon his telling her he was determined, and expected her quiet compliance, or that he should be under the necessity of obliging her, she thereupon submitted, and they set out for Loughrea aforesaid, where he gave directions for every thing being provided for her in a genteel manner, which was done accordingly, but he refrained from her bed, and never lay with her from his being so first informed of the said report. That she continued at his house at Loughrea till May, 1764, during which time she, by the means of Eleanor Street, her maid-servant, and Mr. Samuel Walsh, of Dublin, and James Rede, and — Manning, carried on a correspondence, by messages and letters, with the Earl of Kerry, and thereby concerted with him the means of her getting from
from

from the house of the said Charles Daly ; and on or about the sixth of May, 1764, she was carried away from the house of the said Charles Daly by one Thomas Street, the husband of the aforesaid Eleanor Street, who passed under the fictitious name of Thomas Shaw ; she walking in rainy and dirty weather above a mile to meet him, and then got on horseback on a pillion behind him ; and the said Thomas Street was hired, and paid by the Earl of Kerry, or his agents. That during the residence of Anastatia Daly at Dublin, between May, 1762, and January, 1764, the said Earl of Kerry and she carried on a very intimate, familiar, and indecent acquaintance and conversation, and were frequently alone together at each others houses at improper and unseasonable hours ; she, the said Anastatia, frequently paying morning visits to the said Earl of Kerry at his house, and often dining, supping, and staying alone with him there till late in the evening, and sometimes till two or three o'clock in the morning ; and at such times, when she came there in the morning, she frequently went into his lordship's

ship's study, and staid there for some time alone together ; and the servants in the Earl's family had particular orders given them, by his lordship, not to come into any of the rooms where he was after eleven o'clock, unless particularly called, or rung for. And the Earl of Kerry used frequently to visit her at her house, and dine, sup, and stay with her alone there for many hours, and sometimes till the next morning, before he went away ; and, at other times, hath pretended to go away, and then returned privately, and been let into the house again, and staid there till five or six o'clock in the morning ; and during such times they have been often seen and observed, by the servants, to be toying with and caressing each other in a very familiar, immodest, and lewd manner, and have committed the crime of adultery together. That about the latter end of January, or the beginning of February, 1763, Charles Kelly, a servant to the Earl of Kerry, saw him and Anastatia Daly on a couch together, and he verily believes they had been at that time committing the crime of adultery together.

One day, in or about the month of March, 1763, Anastatia Daly dined with the Earl of Kerry at his house in Dublin; that, about dusk of the said day, Bridget How, who then lived as house-maid at the said Earl of Kerry's went into the drawing room to make up the fire, and while she was there, hearing Lord Kerry singing and coming towards the said room, she, by reason of the Earl of Kerry's orders to the servants not to come into the room after eleven o'clock, hid herself behind a settee in the said room, and the Earl of Kerry came immediately into the room singing, and holding Anastatia Daly by the hand, and set Mrs. Daly down in a chair; and the Earl of Kerry then bolted the door, and returned again to Mrs. Daly, and for some time kissed and toyed with her, and then laid her down on the chairs, took up her petticoats, and had the carnal use and knowledge of her body: after which Anastatia Daly went to a glass in the room and set her cap to rights; and then she and the Earl of Kerry went hand in hand out of the room as aforesaid, &c. Charles Daly, Esq.

Esq. therefore prays that he may be divorced from bed, board, and mutual cohabitation with the said Anastatia Daly, his wife.

The Deposition of Eleanor Street.

ELEANOR STREET, wife of Thomas Street, of Twickenham, in the county of Middlesex, aged about twenty-five years, deposes and says, that on the 8th of December, 1763, she was hired as a servant by Anastatia Daly, wife of Charles Daly, one of the parties in this cause, and in about a fortnight afterwards she went into her said service at Anastatia Daly's house, in Clare Street in the city of Dublin, wherein the said Anastatia Daly lived alone from the said Charles Daly her husband; from which time she, the deponent, hath continued to live, and now does live with her as her servant; and she further saith, that on or about the tenth day of January, 1764, Charles Daly, Esq. came to the said house in Clare Street, and took Anastatia Daly, and the deponent into the country to

a house of his, situate at Loughrea, in the county of Galway, in Ireland, which was the first time the deponent ever saw Charles Daly, he having been at Loughrea during the rest of the time the deponent had lived with Anastatia Daly: that she verily believes the reason he took his wife with him to Loughrea, was on account of some reports which he had heard, with regard to her conduct and behaviour to the Earl of Kerry, though at that time she did not know what such reports were.

She further saith, that Anastatia Daly continued in her said husband's house at Loughrea till some time on or about the sixth of May, 1764; but the said Charles Daly only lived with her there for about a week, and during that time did not lay in the same bed with Anastatia Daly, but constantly, during that time, lay in another part of the House; and, at the expiration of the said time, he went to Dublin, and did not afterwards lay in the said house during the whole time Anastatia Daly continued therein. That, in about three weeks after Charles Daly took Anastatia
Daly

Daly to his house at Loughrea, the said Anastatia Daly, and the deponent, were by his orders confined to the said house, and to a Court-yard belonging thereto: that, during such confinement, Anastatia Daly kept a correspondence with Lady Kingland, her sister, and one Mr. Walsh, to both of whom the deponent has, by her mistress's order, conveyed letters, by means of one Manning, and one Bedor, a shoe-maker at Loughrea: that by what she has heard since, she believes that Anastatia Daly enclosed letters for Lord Kerry in those she sent to Mr. Walsh, though at the time she conveyed them she was a stranger thereto: that she believes the correspondence so kept with Lady Kingland, Mr. Walsh, and Mrs. Daly, was in order to effect her escape from the said house, though she was a stranger to the contents of the letters that passed between them; but one Mrs. Pigott, wife of Mr. Archdeacon Pigott, who lived at Loughrea aforesaid, and who corresponded with Lady Kingland several times, before Mrs. Daly escaped from the said house, desired this deponent to contrive her escape

escape if she could, and that men and horses would be ready to convey her away. Accordingly the deponent engaged the said Manning, his wife, and the said Bedor, to be ready at any time to walk with Mrs. Daly, to whatever place the horses were to meet her, in order to her escape whenever she could get out; and about three or four days before she escaped, the deponent's husband came down to Loughrea, and told her that he had been employed by Lady Kingland to help Mrs. Daly to make her escape, and was come down for that purpose, and had a horse ready to carry her to Dublin; but no opportunity immediately offering for her to escape, Thomas Street (who went by the name of Thomas Shaw) was sent to ride about the country till an opportunity should offer, which happening on Sunday night the sixth of May, 1764, Mrs. Daly went out of the said house, and was conducted by Manning, his wife, and son, to a place about half a mile distance from Loughrea, where Thomas Street was waiting with a horse; upon which she went with Thomas Street to her mother's house



Dodd delin.

Goldar sculp.

M^{rs} Daly setting off for Quenbury.

See Trials for Adultery N^o 3 page 12.

1st Nov^r 1780, by S. Bladon.

house at Quanbury, about thirteen or fourteen miles from Loughrea, where the deponent went to her the next day, and where she and Mrs. Daly staid about two or three days, when Lady Kingland sent a servant and fetched her away ; but where she went she knows not ; nor did she see her again till some time in the month of July following, which was at Lord Kingland's seat at Turvey in Ireland, where she came and staid for two or three days concealed, and then went away, but where she knows not ; but in August following, she came to Lord Kingland's house at Dublin, where the deponent then also was ; and on the last day of the said month of August, Anastatia Daly, and the deponent, set off for England in company with Mr. Walsh, and arrived at Bristol some time in the beginning of September following, where she staid about a fortnight, and during that time she took lodgings at the house of Mr. Bolt on College Green there ; and in about three or four days after they arrived at Bristol, Lord Kerry also came there, and took lodgings likewise on College
lege

lege Green, in the name of Robinson ; by which name he went during the time they staid at Bristol, and during such time frequently visited Anastatia Daly in the name of Robinson, and he was received and entertained by her at her lodgings: and during the whole of the time that they continued at Bristol after Lord Kerry's arrival, he always breakfasted, dined, and supped with Anastatia Daly and Mr. Walsh, and generally left Anastatia Daly about eleven o'clock at night during that time, and went to his lodgings, but used to be frequently alone with her in the dining-room at Mr. Bolt's, but never after that time of night.

She further saith, that the lodgings occupied in the said house by Mr. Daly, consisted of a parlour on the ground floor, a dining-room and bed-chamber on the first, and a bed-chamber on the second floor: that the chamber on the first floor had a bed therein, but the deponent does not know that the door was kept locked but when Mrs. Daly was in bed, she laying in such chamber, nor did she keep the key thereof,

thereof, but the door was always open for the servant of the house to go in and clean the room, saving which the people of the house had no business to go in. She further saith, that in a few days after Mrs. Daly arrived at Bristol, and had taken her said lodgings, some person came to Mr. Bolt's house, and would have taken the remainder of the house which was not used by Mrs. Daly, but upon her hearing thereof she took the remainder of the house herself, telling Mr. Bolt, or some of his family, that she wanted it for the deponent and her husband; but she believes her true motive was, that she did not choose to have any other family in the house, whilst Lord Kerry visited her in a false name; that she continued to rent the said lodgings till some time in the latter end of the said month of September, when she went to London in company with Lord Kerry and the deponent, in a coach, as far as Staines in Middlesex, where they were met by Mr. Walsh, who, together with Lord Kerry, went from thence in one post-chaise, and Mrs. Daly and the deponent

in another: that Mrs. Daly took lodgings at the house of one Mr. Cooke, a haberdasher in Queen Street, May Fair, where she continued about a fortnight or three weeks, till a house which she had taken in the same street was ready for her reception, and in which house she afterwards continued till some time in or about the month of February, 1766; that, during the whole time she continued in her said house in Queen Street aforesaid, Lord Kerry was generally there most of the day, as well at meal times, as at others, except he sometimes went out upon business or to dinner; but he never lay in the said house.

She further saith, that the said house in the first floor had a dining-room, a drawing-room, and a closet, and Mrs. Daly lay in a room up two pair of stairs, which was over the said dining-room; that there was a couch in her said bed-chamber for some time, but whether when she first went into the said house or not she cannot say, and which couch Mrs. Daly ordered to be brought down into the said drawing-room, which it accordingly was; and some time after-

afterwards by her order, it was removed into the said closet. And she further saith, that the several times that Lord Kerry and Anastatia Daly have been together, they always seemed to be very fond of each other, and appeared to her to behave to each other as lovers, in toying with and caressing each other in a very familiar manner, but she never saw any thing to induce her to believe or think, nor does she know, that they ever carried on any criminal correspondence, or that they committed the crime of adultery together, or had the carnal knowledge of each other, nor can she further depose.

ELEANOR STREET

The Deposition of Thomas Street.

THOMAS STREET, now servant to Anastatia Daly, one of the parties in this cause, aged twenty-seven years, deposes and says, that this deponent's wife, Eleanor Street, lived as a servant with Anastatia Daly, party in this cause, at Dublin, in the kingdom of Ireland: and on the 10th of

January, 1764, was sent to a place called Loughrea, in the county of Galway, in Ireland, together with Anastatia Daly, by Charles Daly, Esq. the husband of the said Anastatia Daly, and the producent in this cause, and was there confined by him in a house he had there. That some time in the latter end of April following, he received a message from Lady Kingland, who is the said Anastatia Daly's sister, in pursuance of which he went to her at her house at Dublin, when she told him not to make himself uneasy about his wife, for that she would write to her sister, Mrs. Daly, and would afterwards go and bring his wife to Dublin with her; and at the same time, told him she would send to him again in a little time, which she accordingly did in about ten days afterwards; and upon his going to her, she asked him if he should like to go and see his wife, to which he replied he should, and would go and bring her away, for he did not like she should live there, meaning at Loughrea aforesaid; to which Lady Kingland said, that, if he chose to go, she would give him

him fifty guineas to buy a horse, and defray his expences, if he would deliver a packet to one Mrs. Pigott at Loughrea, and if he could contrive to bring away Mrs. Daly, her sister, (who she said was very ill, and she was afraid would die there) she would, upon his return, give him two hundred pounds, for that the said Charles Daly used her very ill in confining her at the said house, or she expressed herself in words to that or the like effect; and the deponent agreed to such proposal, and having received the aforesaid packet from Lady Kingland, he set out for Loughrea on the second of May, 1764, and arrived there the fourth day of the same month; and went by the name of Thomas Shaw, pursuant to directions which he received from Lady Kingland for that purpose: that, upon his arrival at Loughrea, he went to the said Mrs. Pigott, and delivered the aforesaid packet, who told him to go to an inn and wait for further orders, after being acquainted with the business he came upon; but advised him, by all means, to keep from Mr. Daly's

Daly's house, lest some of the guards whom he had placed to watch Mrs. Daly, might see him and use him ill.

He further saith, that, on the day after his arrival at Loughrea, he received a note in Mrs. Daly's hand-writing, ordering him to go to a village called Gort, about thirteen miles from Loughrea, and stay there till Sunday, when he was to return to Loughrea with a horse; and in coming to Loughrea on the said Sunday, he received a note on his way from his wife, directing him to be at the old church-yard at Loughrea, the said Sunday night at ten o'clock, and that Mrs. Daly should be brought to him: that accordingly he went on the Sunday night at about ten o'clock, to the old church-yard, and a woman, who was a shoemaker's wife, but whose name he has forgot, brought a pillion to him there, which he placed on his horse, and in about an hour after he had been there, a lady, then a stranger to him, but whom he then believed and now knows to be Anastatia Daly, party in this cause, came conducted by one man, and the said
shoe-

shoemaker's wife ; and the deponent took Mrs. Daly behind him on his horse, and by her directions carried her to her mother's, at a place called Quansbury, about thirteen or fourteen miles from Loughrea, she not being able to go so far as Dublin, on account of illness : that, on the next day, he carried a letter from Mrs. Daly to Lady Kingland, at Dublin, to acquaint her where she was, upon which Lady Kingland sent him immediately back to desire Mrs. Daly to go from her mother's as soon as she could, lest she should be discovered ; but when the deponent arrived at her mother's he found she was gone, with a servant Lady Kingland had sent for that purpose, and whom the deponent had missed upon the road : and the deponent never saw her again till some time in July following, when she came to Lord Kingland's seat at Turvey, where the deponent and his wife had been sent by Lady Kingland to wait for further orders : that upon Mr. Daly's coming there, she hired him as her butler, in which capacity he has lived ever since.

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He further saith, that, on the last day of August, Mrs. Daly, and one Mr. Walsh, and the deponent and his wife, set out for England, and arrived at Bristol some time in September, where Mr. Walsh hired lodgings for Mrs. Daly at the house of one Mr. Bolt, on the College Green, consisting of a parlour on the ground-floor, and a dining-room, and a bed-chamber up one pair of stairs, and a bed in the garret for her footman, in which lodging Mrs. Daly staid about a fortnight; and in about three or four days after her arrival at Bristol, Lord Kerry (whom the deponent has known by sight for many years) also came to Bristol, and went to lodgings which Mr. Walsh had taken for him on College Green: that Lord Kerry, when he came to Bristol, went by the name of Robinson, and visited Mrs. Daly at her lodgings, and was entertained by her there in the name of Robinson; and Lord Kerry, during the time Mrs. Daly staid at Bristol, generally breakfasted, dined, and supped with her at her lodgings, sometimes in company with Mr. Walsh, and sometimes alone, but never,
to

to the best of his recollection, staid so late as eleven o'clock at night alone with the said Mrs. Daly: that Mrs. Daly used to lay in the bed-chamber even with the dining-room, but he never heard, nor does he know, that the said room, or any other, was always kept locked, or that she kept the key thereof, but the same were always open for the servants of the house to clean and make the beds.

He further saith, that in a few days after Mrs. Daly had been at the said Mr. Bolt's, a man came there and wanted to hire such part of Mr. Bolt's house as was not used by her; but upon Mr. Bolt or his wife acquainting Mrs. Daly therewith, she told them, that she did not choose to have any other family in the said house, and therefore she took them herself, and kept them during the remainder of the time she staid at Bristol; but what her reason was for refusing to let another family come into the said house, he knows not. And he further saith, that some time in or about the month of October in the said year, 1764, Mrs. Daly and Lord Kerry, together

gether with the deponent and his wife, and two other servants, went to London, and Mrs. Daly went to lodgings at the house of one Mrs. Cooke, a haberdasher, in Queen Street, May Fair, which had been taken for her and her family by Mr. Walsh, who had set out from Bristol before them for that purpose; in which lodgings the said Anastatia Daly continued to reside for about a fortnight or three weeks, till a house which she had taken in the said street could be prepared for her, which house, on the first floor, had a dining-room and a drawing-room, and a closet, and the said Mrs. Daly's chamber was one pair of stairs higher, and where she afterwards removed to, and continued therein till some time in or about the Month of February, 1776; during which time Lord Kerry very frequently visited her, and generally breakfasted, dined and supped with her there. And he further saith, that there was a couch in one of the two pair of stairs rooms in the said house, but which he does not know; which couch was, by the directions of Mrs. Daly, brought into the closet adjoining

joining to the said drawing room. He further saith, that during the time Mrs. Daly was at Bristol, the deponent, going up stairs to tell her that dinner was upon table, and opening the door suddenly, he saw the Earl of Kerry kiss Anastatia Daly, but, saving which, he never saw in them any behaviour by which he should be induced to believe, nor does he know, that the Earl of Kerry and Anastatia Daly at any time whatever committed the crime of adultery together, or had the carnal use or knowledge of each other; nor can he further depose, save that Lady Kingland paid the fifty guineas, and the two hundred pounds, which he had promised him for bringing Mrs. Daly from Loughrea.

THOMAS STREET.

The Deposition of Christopher Campbell.

CHRISTOPHER CAMPBELL, of South Hill, in the county of Berks, now servant to Anastatia Daly, party in this cause, aged about fifty years, deposes and says, that he lived as a servant with Peter
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Daly,

Daly, Esq. the father of the said Anastasia Daly, the party in this cause, at Dublin in the kingdom of Ireland, for about fourteen years before, and till within about eighteen or nineteen years ago, when he quitted his service, and went to live as a servant with Charles Daly, Esq. the pro-
ducent in this cause, and Anastatia Daly his wife; in which capacity he lived till within about three years last past; that he then lived as a servant for about a year with one Blake, and at the expiration of that time, Anastatia Daly sent for the deponent, and he has lived with her as her butler ever since.

He further saith, that the said Peter Daly, father of Anastatia Daly, at his death, which happened, to the best of his remembrance as to the time, about six or seven years ago, left Anastatia Daly some income arising out of a freehold estate for her own separate use, and which income he has heard was about four or five hundred pounds a year: and he has also heard and believes, that the mother of the said Anastatia Daly was left by the said Peter
Daly,

Daly, with a jointure of about one thousand pounds a year, arising out of the aforesaid estate; and which, as he has also heard and believes, at the death of her mother, will descend to Anastatia Daly and her two sisters. And he further saith, that Charles Daly, the producent, is member of parliament for the county of Galway, in Ireland; and, some time in or about the month of November, 1761, he came with Anastatia Daly and their family to the city of Dublin from the country, to attend his duty in parliament, and staid there with them till the rising of the said parliament; which happened in about seven or eight months afterwards, as he now recollects the time to be.

He further saith, that, upon the rising of the parliament, Charles Daly returned to his country seat at Loughrea, in the county of Galway, leaving Anastatia Daly at their house in Dublin, on account of her health, which was then impaired; and she was attended by one Doctor Smith, a physician, on that account: but whether the producent ever desired Anastatia Daly to return
with

with him into the country, or whether she ever refused the same, he knows not of himself, but has heard it reported in the family, that he did desire her to go, and that she refused on account of her health. He further saith, that, in about four or five months after the producent left Dublin, Anastatia Daly went to pay a visit to her sister, Lady Kingland, at her seat at Turvey, about eight or nine miles from Dublin, where she was taken ill; and Lady Kingland wrote an account thereof to the producent, who went thereupon to Lord Kingland's at Turvey; and, after staying there with his wife for three or four days, or thereabouts, they came together to their house at Dublin, where the producent staid one night, and then returned to Loughrea, leaving Mrs. Daly at Dublin; but whether he at that time pressed or desired them to go with him, or whether she refused the same, he does not know: that the producent continued for some months (but the particular time he cannot say) at Loughrea, when he returned to his said house at Dublin on a Friday, and went
again

again to Loughrea on the Sunday following, during which time, he says, the said Charles Daly and Anastatia Daly did not lie together, but had separate beds in the said house at Dublin, but on what account he does not know: that the said Charles Daly continued at Loughrea for some months, but the parricular time he cannot say; and on a day, happening in the month of January, 1764, the deponent being gone to market at Dublin (where he had resided in the producent's house there, during the time by him before deposed of) at his return he was informed by his fellow-servants, (but whom in particular he does not remember) that the producent had been to his said house, and taken his wife with him into the country, giving as the reason thereof, that her mother was given over, and that he had fetched her into the country to see her: but the deponent has heard and believes, that the true reason why he so fetched her away, was on account of some reports which he had heard, relating to an intimacy and connection which

which she had formed with the Earl of Kerry.

He further saith, that, during the absence of the said Charles Daly, the producent, at the times by him beforementioned, the said Francis Thomas Fitzmaurice, Esq. commonly called Earl of Kerry, frequently visited Anastatia Daly at her house at Dublin; and as the deponent has heard, Anastatia Daly hath also visited the Earl of Kerry at his house, but never alone to the deponent's knowledge: that the Earl of Kerry hath visited her alone, at her house several times, but the particulars thereof he cannot recollect, and hath dined and supped with her there, and at some such times hath staid with her alone till twelve o'clock at night, but never later to the best of his remembrance; that he never saw any other behaviour between them, than as common acquaintance; nor does he believe, nor has he any reason to believe, that they, the said Earl of Kerry, and Anastatia Daly, ever committed the crime of adultery together, or had the carnal know-

knowledge of each other's bodies, nor can he further depose.

CHRIST. CAMPBELL.

23d November, 1767.

The Deposition of Frances Dorey

FRANCES DOREY, of Kenfington Gore Lane, in the county of Middlesex, spinster, aged twenty-five years, deposes and says, that she lived as a servant with Anastatia Daly, one of the parties in this cause, for about seven weeks ; and, to the best of her remembrance as to the time, it will be three years ago some time about Christmas next, but the time more particularly she cannot recollect : that the said Anastatia Daly, during all that time, lived in a house in Queen Street, May Fair, and by so living with her, the deponent first came to know her. And she further saith, that on the first floor of the said house, there was a dining-room, a drawing-room, and a closet within such drawing-room ; and the said Anastatia Daly's bed-chamber was up one pair of stairs higher ; in which

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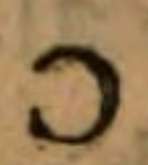
chamber,

chamber, when this deponent first went into her service, there was a couch; which couch, in about a month after the deponent had been there, Anastatia Daly ordered to be brought down stairs, and put in the said closet next the drawing-room; which was accordingly done.

She further saith, that, during the whole time she lived with Anastatia Daly, a gentleman (whom at first the deponent did not know) but whom she was informed, and now knows, was Francis Thomas Fitzmaurice, Esq. commonly called Earl of Kerry, came constantly every day, during the said time, to see and visit Anastatia Daly; that he sometimes came soon in a morning, and sometimes later, but always, during the said time, breakfasted, dined, and supped with Anastatia Daly; sometimes with other company, but to the best of her recollection, generally alone. And she further saith, that on the first day the deponent went into her service, she went up stairs with an intent to make the dining-room fire, together with one Mrs. Hart, Lord Kerry's house-keeper, (who

(who at that time lived with Mrs. Daly as her house-keeper) that upon their coming to the stair-head, they found the dining-room and the drawing-room doors fastened within side; one of which doors was on one side the stairs, and the other on the other side, but within the said rooms there was a door out of one into the other: that upon the said Mrs. Hart knocking at the said drawing-room door, Mrs. Daly asked who was there? to which she replied, it was her; and thereupon the door was opened, by pulling up a bolt which went with a line from the fire-side; but who opened the same she cannot say. That, upon the same being opened, the deponent went through the said drawing-room into the dining-room, and saw Mrs. Daly sitting on one side of the fire, and Lord Kerry on the other. And she farther saith, that afterwards she has often found the said door fastened within side; and at some such times, Mrs. Daly and one Mr. Walsh have been alone in one of the said rooms, but for the most part she used to be alone with the Earl of Kerry; and at such times,

when Mrs. Daly and Lord Kerry have gone out of the said rooms, the deponent used to go in to sweep them, and put the things to rights, and very often found, as well the couch which was placed in the said closet within the drawing-room, as also a couch which stood in the drawing-room, very much rumpled and tumbled, as if somebody had been laying on them; and the deponent, at such times, used to put the same to rights. And she further saith, that by reason of the said couches being so tumbled, she does believe (at such times as Anastatia Daly and the Earl of Kerry were locked or fastened into the said rooms together, and the said couches, or one of them, were tumbled as aforesaid) they the said Anastatia Daly, and the Earl of Kerry, had committed the crime of Adultery together, and had the carnal use and knowledge of each other's bodies, and further she cannot depose.

The Mark  of
FRANCES DOREY.

25th Novem-

*25th November, 1767.**The Deposition of Charles Kelly.*

CHARLEL KELLY, of Loughrea, in the county of Galway, in the kingdom of Ireland, merchant, aged thirty years, deposes and says, that he went to live as a servant with Francis Thomas Fitzmaurice, Esq. commonly called the Earl of Kerry, at his house in Kildare Street, in the city of Dublin, some time in the month of November, 1762, and continued in his service till some time in the month of July, 1763; and during all that time, and also for some time before, he had two sisters lived as servants with Charles Daly, Esq. and Anastatia Daly, his wife, the parties in this suit, in Kerry Street, in Dublin aforefaid; and by going to see them at Charles Daly's house in Kerry Street in Dublin, he first came to know Anastatia Daly by sight, but never to his knowledge saw the said Charles Daly, till some time in 1764, and then saw him relating to a law-suit then depending between him and the Earl of Kerry, touching a criminal correspondence

spondence which was carried on between the Earl of Kerry and Anastatia Daly. And he further saith, that during all, or the most part of the time he so lived as a servant with the Earl of Kerry, the said Charles Daly was in the country, at a house he had at Loughrea aforesaid; and during that time, the Earl of Kerry and Anastatia Daly, in the absence of her said husband, kept up a very intimate acquaintance and connection together, and very frequently visited each other at their respective houses alone; and the Earl of Kerry used very often to stay with Anastatia Daly till two and three o'clock in the morning; and one night, happening some time in the latter end of November, 1762, the deponent being at the said Anastatia Daly's house at Dublin, on a visit to his said two sisters, the Earl of Kerry came there to visit Anastatia Daly, and staid with her alone till between ten and eleven o'clock; that he then went away, as if going home; but, in a very few minutes, the deponent heard a knock at the door, and a man was let

let in by Anastatia Daly's woman ; and the deponent saw such man go up stairs, towards the dining-room of Anastatia Daly's house : that soon after such person went up stairs, the said woman came down, and said Anastatia Daly was not well, and that all the servants must go to bed ; and, as he believes, she took the key of the house door up stairs with her ; and therefore the deponent was obliged to stay in Anastatia Daly's house all night ; and in the morning, finding he could not get out at the front door, therefore went out backwards : but having some suspicion that the person who was let in and went up stairs in Anastatia's house, was Lord Kerry, by reason of the very great intimacy and connection that appeared to be between them, and also that it was suspected by every body that they did carry on a criminal correspondence together, the deponent went round into the street, and stood opposite Anastatia Daly's house, and from thence, about six o'clock in the morning, he saw the Earl of Kerry come out of the said house, and make towards his own : that the deponent followed him

him till he had almost reached his own house, and then he run and got home some short time before him ; and the deponent is sure that the Earl of Kerry did lay all that night in Anastatia Daly's house, and was the person so let in as aforesaid ; and by reason that there was no spare bed in the said house, the deponent does verily believe that the Earl of Kerry and Anastatia Daly did lay that night, naked and alone together, in one and the same bed, and did then commit the crime of adultery and fornication together. And he further saith, that very often, when Anastatia Daly hath been with the Earl of Kerry, at his house in Kildare Street, one Edward Hart, who was the said Earl's gentleman and confidant, used to give orders that none of the servants should go up stairs unless particularly called for ; and on one of those days, which was either the latter end of January, or the begining of February, 1763, the said Edward Hart having omitted to give the deponent such directions, although he had given the same to most of the other servants,

servants, the deponent went up stairs into a drawing-room in the said house, in order to see if it was fit for the reception of some company that was then expected; that, upon opening the said dining-room door, he saw the Earl of Kerry and Anastatia Daly rising from a couch in the said room; that the surprize of opening the door made the Earl of Kerry turn about, and the deponent then saw that his breeches were down, and Anastatia Daly's petticoats were up, so that the deponent saw her naked thighs: that the Earl of Kerry was in a great passion with the deponent for coming into the room, and followed him to the door with his breeches still down, at the same time saying to him, "Damn you, have not I given orders that nobody should come up here but Ned Hart," meaning the said Edward Hart, his gentleman. And he the deponent lastly saith, that he does verily and in his conscience believe, that the Earl of Kerry and Anastatia Daly had then been committing the crime of adultery together, and had the carnal use and knowledge of
Q each

40 *Charles Daly, against Anastatia Daly.*

each others bodies upon the said couch, and further he cannot depose.

CHARLES KELLY.

S E N T E N C E.

Upon hearing the depositions of the evidence in this cause, a definitive sentence or final decree was given to the following effect, *viz.* That the said Anastatia Daly, after the solemnization and consummation of the marriage with Charles Daly, Esq. unmindful of her conjugal vow, and not having the fear of God before her eyes, but being instigated and seduced by the devil, did in the years and months libellate, commit the crime of adultery with the Right Hon. Francis Thomas Fitzmaurice, Esq. commonly called Earl of Kerry, and did violate her conjugal duty : it is therefore pronounced and decreed, that the said Charles Daly, Esq. ought by law to be divorced and separated from bed, board, and mutual cohabitation with the said Anastatia Daly, until they shall be reconciled to each other, and they are divorced and separated accordingly.

WILLIAM EARLE, Esq.

AGAINST

KATHERINE EARLE.

LIBEL given in the 1st of *July*,
1765.

THE above-mentioned libel sets forth,
that William Earle, of the parish of
Chelsea, in the county of Middlesex, Esq.
did, on or about the first of May, 1750, in-
termarry with Katherine Francke, now
Katherine Earle. That, in 1764, the said
Katherine Earle, unmindful of her con-
jugal vow, did commence a lewd and adul-
terous intimacy and correspondence, by
letters and otherwise, with one Charles
Holland, of the parish of St. Paul, Covent-
Garden, in the county of Middlesex, one
of his Majesty's company of comedians;
with whom Katherine Earle had frequent

private meetings, as well at the lodgings of the said Charles Holland, as at the apartments of William Earle, Esq. in the Royal Hospital at Chelsea, and at other places, when they committed the foul crime of adultery, &c. The party propo-
nent therefore prays right and justice to be effectually done and administered to him and his party in the premises, &c. and that William Earle may be divorced from bed, board, and mutual cohabitation with Katherine Earle, his wife, &c.

9th November, 1765.

The Deposition of Frances Nightingale.

FRANCES NIGHTINGALE (wife of Richard Nightingale) now living with — Rice, Esq. in Hertford Street, in the parish of St. George, Hanover Square, in the county of Middlesex, aged twenty three years, deposes and says, that she knows and is well acquainted with William Earle, of the parish of Chelsea, in the county of Middlesex, Esq. and Katherine Earle, wife of the said William Earle, the parties
in

in this cause ; and has known Katherine Earle ever since the month of December last, and came so to know her by her coming to the lodgings of Alicia Gilbert, spinster, situate in Arundel Street in the Strand, where this deponent then was on a visit ; and that she has known and been acquainted with William Earle since the month of May last, by his being introduced to her by the said Alicia Gilbert, relating to this cause : she further saith, that she has frequently seen Katherine Earle in company with Charles Holland, at the lodgings of Alicia Gilbert, during the time the deponent staid there, which was about three months ; and that once on a day, happening some time about New Year's day last, to the best of her recollection, the said Charles Holland either called upon Alicia Gilbert at her aforesaid lodgings, or Alicia Gilbert and the deponent called upon him at his lodgings ; and he went with Alicia Gilbert and this deponent to the apartments of the said William Earle, at Chelsea aforesaid, and there dined with Katherine Earle : and on the twenty-ninth
of

of February last, to the best of her recollection as to the time, the deponent and Alicia Gilbert were upon a visit to Katherine Earle, at the apartments of William Earle at Chelsea; and the said Charles Holland then came likewise to pay a visit to Katherine Earle there. She further saith, that William Earle was absent from his said apartments, as well on the day that the deponent and Charles Holland dined with the said Katherine Earle, as also on the said twenty-ninth of February. She further saith, that, to the best of her recollection, Charles Holland dined with Katherine Earle at Chelsea, by appointment of the said Katherine Earle, and that the deponent has frequently seen letters from Katherine Earle to Alicia Gilbert, desiring her to appoint Charles Holland to meet her at the said Alicia Gilbert's lodgings; and that frequently, in pursuance of the appointments mentioned in such letters, Charles Holland and Katherine Earle have met together at the said lodgings.

She further saith, that whenever Charles Holland and Katherine Earle met at Alicia Gilbert's,

Gilbert's, they were left alone in the same room together, and also at the times the deponent was with them at Chelsea aforesaid; but whether, at such times, they were locked in the room, or not, she cannot say: and she further saith, that, on the sixth of March last, Charles Holland and Katherine Earle met at Alicia Gilbert's lodgings, by an appointment from Katherine Earle, and supped there with Alicia Gilbert and the deponent: after they had been some time together in the said lodgings, the deponent left the room, and some short time after Alicia Gilbert also left the room, and came to the deponent, leaving Charles Holland and Katherine Earle alone together in such room; and Alicia Gilbert having a suspicion, from the contents of a letter she had seen from Katherine Earle to Charles Holland, that the said Katherine Earle intended to tell the said Charles Holland of some affairs relating to the said Alicia Gilbert and her mother, and knowing the said appointment, she, this deponent, in pursuance of a request of Alicia Gilbert, previous to the said Charles

Charles Holland's and Katherine Earle's meeting on the said sixth of March, bored a hole through a dark closet that was in the bed-chamber of Alicia Gilbert's lodgings, which closet was only parted by a thin partition from the dining-room, where Katherine Earle and Charles Holland used to be left together, at their meetings at the said lodgings, in order to know whether Alicia Gilbert's suspicions were true, and whether Katherine Earle did mention any thing about her to Charles Holland or not. And she further saith, that, as soon as Alicia Gilbert had left the room, she went into such closet, and after she had been some time therein, the deponent asked what she had heard them say? to which she replied, "I can't hear them so as to make sense of what they say:" upon which, Alicia Gilbert came out of the said closet, and the deponent went in and looked thro' the said hole, where she saw Charles Holland kneel down before Katherine Earle, and take up her clothes, so that the deponent saw the top of her stocking; and the said Charles Holland stooped down, and, as
the



*Mr. Holland took up Mrs. Earle's Cloaths, and stoop'd down and
kissed her Knees.*

See the dep.^{ts} of Miss Nighingale N^o. IV. pa. 7. of Trials of Adultery.

Published as the Act directs by S. Bladon, Sept. 16 1780.

the deponent verily believes, kissed the said Katherine Earle's knees ; after which Charles Holland rose up and took off his sword, as the deponent believes, and walked across the room to the door, and, as the deponent verily believes, to fasten the same ; but as the deponent immediately came out of the said closet, and never returned therein during the continuance of Katherine Earle and Charles Holland in the said room by themselves, she knows not what passed further between them ; and of her own knowledge she knows not further to depose, save that she has, during her knowledge of Katherine Earle, and at the time she has been in company with her and Charles Holland, seen them kiss each other several times.

The same witness upon interrogatories.

To the first, the witness was admonished, as directed, and then she answers that she never heard, nor does she know, that the producent ever had any inclination to be divorced from the produced, before the commencement of this suit, that she never

R

declared

declared to the effect interrogate, but that, since the commencement of this suit, she has heard Mr. Earle declare, that he would take every method to be parted from the said ministrant; that she has never had any correspondence with the producent about his getting a divorce, save he came to the respondent to know what she could say as to the connection between Charles Holland and the ministrant; and the said producent then told the respondent, that he should expect she should speak the truth, and further she knows not to answer.

To the second, that the said producent never declared to her, or to any other person, to her knowledge, to the effect mentioned in this interrogatory.

To the third, that the producent never heard from the respondent, nor any other person to her knowledge, nor had he any reason to believe from her, or any other person to her knowledge, that any amour, or intrigue, was carried on between the ministrant and Charles Holland, interrogate, before the 22d of November, 1764, interrogate,

rogate, and further she knows not to answer.

To the fourth, that she thinks herself under obligations to the producent, in-
somuch that she has at times wanted money to the amount of about twenty pounds, and the producent has let her have it at several times, since his acquaintance with her, in which money she is now indebted to him; that the producent has been with the respondent twice at her lodgings at little Chelsea, since the beginning of this cause, to know what she knew of the matter in question; that she has no interest in the event of this cause, nor has she been promised, nor does she expect to receive any thing whatever, if the sentence goes in favour of the producent: that she comes to be a witness in this cause at the request of the producent, and was first spoke to about the same, some time in the month of May last.

FRANCES NIGHTINGALE.

R 2

13th Novem-

*13th November, 1765.**The Deposition of Alicia Gilbert.*

ALICIA GILBERT, of Lucas's Street, in the parish of St. Mary Rotherhithe, in the county of Surry, spinster, aged twenty-three years, deposes and says, that Katherine Earle, wife of William Earle, Esq. one of the parties in this cause, was a relation of the deponent's father's first wife; by which means this deponent came to know and be acquainted with her; and she has known and been acquainted with her for about eighteen years, as she now best remembers, and that she came to know and be acquainted with the said William Earle about fifteen years ago, by his marrying the said Katherine Earle: and she further saith, that some time about ten months ago, to the best of her remembrance as to the time, Katherine Earle sent a letter to Charles Holland, one of his Majesty's company of comedians, to meet her at the deponent's lodgings, in Arundel Street in the Strand; and, in pursuance thereof, Charles Holland did meet her on a Sunday at

at the said lodgings, but the day of the month the deponent cannot recollect; which was the first time they had ever seen each other, as the deponent verily believes: and she further saith, that, from that time, Katherine Earle and Charles Holland have had divers meetings together, as well at the deponent's lodgings, as at the apartments of William Earle at Chelsea, in the county of Middlesex, where this deponent has frequently seen him, as well at dinner with Katherine Earle, as at other visits; all which visits paid by Charles Holland to Katherine Earle at Chelsea, aforesaid, were in the absence of William Earle; and, as the deponent verily believes, without his knowledge.

The deponent further saith, that, by reason that she well knows that some letters passed between Katherine Earle and Charles Holland, during the said acquaintance, and by reason that this deponent once saw one of the said letters from Katherine Earle to Charles Holland, wherein she appointed him to meet her at the deponent's lodgings on some particular day; she does verily believe

believe that Katherine Earle did meet Charles Holland, as well at the deponent's said lodgings, as at Chelsea, by the appointment of Katherine Earle : and she further saith, that when Katherine Earle and Charles Holland have had their meetings together, they have been left alone in one and the same room together, at different times, but never was locked in the said room together, to the best of this deponent's knowledge.

The deponent further saith, that, by the contents of the letter by her before-mentioned, she found that Charles Holland and Katherine Earle, or one of them, had a correspondence with some of the deponent's relations about her, without her knowledge ; and also seeing by the said letter, that they were to meet at the deponent's lodgings on the next day, which was the sixth of March last, she was determined to listen, to hear if they said any thing about her ; and to that end, Frances Nightingale bored a hole through a partition, that parted a dark closet in the deponent's bed-chamber from the dining-room, where
Katherine

Katherine Earle and Charles Holland used to be together, when they met at the deponent's lodgings: that the said Katherine Earle and Charles Holland met and drank tea together at the deponent's lodgings, on the sixth of March, in pursuance of the appointment; and that, between tea and supper, this deponent and Frances Nightingale (who then lived with the deponent) left Katherine Earle and Charles Holland together in the same room, and the deponent went into the said closet for the purpose by her before-mentioned; and looking through the afore said hole, she saw Katherine Earle down upon the carpet in the said room and Charles Holland upon her, the said Katherine Earle's petticoats up, and Charles Holland's breeches down: and this deponent does verily believe from their being in that situation, that Katherine Earle and Charles Holland did then and there commit the crime of adultery together, and had the carnal use and knowledge of each other; and Katherine Earle and Charles Holland continued together in the said room for a considerable time; but whether they were
locked

locked in the same room, or not, she does not know.

The same witness upon interrogatories.

To the first interrogatory the witness was admonished, as directed, and then she answers that she never heard, nor does she know, that the producent ever had any inclination or desire of being divorced from the ministrant; that she never either before or after the 22d of November, 1764, heard the producent declare that, if he could get a divorce from her, that was all he wanted; nor did she ever declare to that or the like effect; that she never held any correspondence with the producent, relating to his getting a divorce; that she does not know who gave the producent the first intelligence of an amour being carried on between the ministrant and Charles Holland, interrogate, but has heard the producent say, he first had an account thereof by an anonymous letter.

To the second, that the producent never declared to her, or to any other person, to her knowledge, to the effect interrogate.

To

To the third, that the producent was not acquainted by the respondent, nor by any other person, to her knowledge, nor had he any reason from the respondent, or any other person to her knowledge, to believe that there was any amour or intrigue carrying on between the ministrant and Charles Holland, previous to the 22d of November, 1764.

To the fourth, that she is no ways indebted to the producent, nor is she under any obligations to him, save as to any other friend ; that the producent came to the respondent at her lodgings in the Strand, in May last, to know how much she knew of the connection between the ministrant and Charles Holland, with an intent for her to become an evidence, as well in this cause, as in a cause brought by him against Charles Holland at Westminster, as the respondent verily believes ; that she is no ways interested in the event of this suit, nor has she been promised, nor does she expect to receive any thing, if the sentence should go in favour of the producent ; that she comes to be a witness in this cause, at the
S request

request of the producent, and was first spoke to about the same in May last.

To the fifth, that the producent never maintained her, nor did he take the lodgings or apartments for her in Arundel Street, interrogate; that neither he, nor any other person, engaged to pay the rent thereof for her; that she continued in the said lodgings about four months; that she quitted the same some time in March last; that she paid for the said lodgings herself, out of her own money; that she supports herself on her fortune, and has paid for her own lodgings, and supported herself ever since she left Arundel Street as aforesaid: that about three years ago she borrowed one hundred pounds of the producent, but has paid the same to him again.

ALICIA GILBERT.

15th November, 1765.

The Deposition of Benjamin Taylor.

BENJAMIN TAYLOR, now servant to, and living with William Earle, the producent, aged eighteen years, deposes and
says,

says, that he has lived as a servant with William Earle, Esq. the producent, for three years last past, and now lives with him; by which means he came to know and be acquainted, as well with him as with Katherine Earle, wife of the said William Earle, the other party in this cause. And he further saith, that, on a day happening in or about the month of December last, a gentleman, whom the said Katherine Earle then called Holland, and whom he verily believes to be Charles Holland, one of his Majesty's company of comedians, came to dine, and did dine, with Katherine Earle, at the apartments of the producent, in the Royal Hospital at Chelsea, which was the first time the deponent ever saw him with Katherine Earle: that, from and after that time, Katherine Earle and Charles Holland had frequent meetings together, as well at the apartments at Chelsea, as at the lodgings of Alicia Gilbert, in Arundel Street in the Strand; at which place this deponent has also seen them together; but he cannot recollect the particular times they have so

met; and, by reason that he attended Katherine Earle to the lodgings of Charles Holland, under the Great Piazza's in Covent Garden, at two different times, after the said month of December; (but the time more particularly he cannot recollect) he verily believes that they had likewise meetings together at Charles Holland's lodgings; and he further saith, that, by reason that he has frequently carried letters from Katherine Earle to Charles Holland, he does verily believe that Katherine Earle and Charles Holland have had divers of their said meetings, by the appointment of Katherine Earle.

He further saith, at the several times that Charles Holland has come to see her at Chelsea, the said William Earle was always absent; and, as the deponent verily believes, never knew of his being there: and he further saith, that, at different times when Charles Holland has been with her at Chelsea, and also at one of the times the deponent saw them together at the said Alicia Gilbert's lodgings, they were alone together in one and the same room, for a
con-

considerable time; but whether, at any of the said times, the door of such rooms was then locked, or not, he does not know. And he further saith, that, from the latter end of November, 1764, the said William Earle withdrew himself from bed, board, and mutual cohabitation with Katherine Earle, his wife, and has not lived or cohabited with her since that time; and the reason thereof, as the deponent verily believes, was his having heard of the connection between Katherine Earle and Charles Holland, by reason of the said William Earle soon afterwards commencing an action against Charles Holland, for criminal correspondence with Katherine Earle.

He further saith, that he, the deponent, has had orders from Charles Holland to go to the Play, and such orders have been wrote and signed by and with the proper handwriting of Charles Holland; and he has received from Charles Holland answers to the aforesaid letters, which the deponent has carried him from Katherine Earle; which letters he has seen Charles Holland
seal

seal up, and the directions were also of the proper hand-writing of Charles Holland ; whereby he came to know and be acquainted with his manner and character of hand-writing ; and, now looking upon the exhibit, he saith, that he is sure the whole series and contents thereof were and are of the proper hand-writing of Charles Holland : and he further saith, that, some time either in the month of February, or March last, this deponent took in a letter from the postman at Chelsea, directed to Mrs. Earle, either at Chelsea College, or at the steward's apartments there, and the said Katherine Earle being absent, the deponent, in endeavouring to look into the same, tore the cover thereof ; upon which his fellow-servant, Edith Garlick, broke the same quite open, and in the said cover they found the very letter or exhibit now shewn to him, which cover to the best of the deponent's recollection was burnt by the said Edith Garlick : that, by reason of the said letter being directed to Mrs. Earle, and by reason of Katherine Earle and Charles Holland meeting at Alicia Gilbert's, he

he does verily believe, that by the word Leonora, mentioned in the said exhibit, was and is meant and intended the said Katherine Earle, party in this cause, and no other person ; and that by the letters (Mrs. G.) and the words, her daughter, also mentioned in the said exhibit, were and are meant and intended for the said Alicia Gilbert, spinster, and ——— Gilbert, her mother ; and further he cannot depose.

The same witness upon interrogatories.

To the first interrogatory the witness was admonished as directed, then he answers, that he does not know, nor did he ever hear, that the producent had for a long time an inclination and desire of being divorced from the ministrant ; nor did he ever hear the said producent declare as interrogate, nor did the respondent ever declare to that effect, nor has he held any correspondence with the producent relating to his getting a divorce ; that he does not know who first gave the producent intelligence, about an amour being carried on
between

between one Charles Holland and the ministrant.

To the second, that the producent never declared to him, nor to any other persons, to his knowledge, that if he could get a divorce, he intended to marry again ; nor did he ever declare to him, or to any other person, to his knowledge, that if he could get a divorce he would marry Miss Estcourt.

To the third, that the producent never knew, nor had he any reason from the respondent to believe, that there was any intrigue or amour between the ministrant and Charles Holland before the 22d of November, 1764 ; but whether he had from any other person, the respondent knows not, nor did he ever hear.

To the fourth, that he borrowed five guineas of the producent, in the month of August last, but there is almost as much due to him from the producent for wages ; he cannot say exactly how much he is now indebted to him ; that he comes to be a witness in this cause at the request of the producent, and he was first spoke to on
the

the day he was produced, but when that was he cannot now recollect : and further he answers negatively.

BENJAMIN TAYLOR.

25th November, 1765.

The Deposition of Edith Garlick.

EDITH GARLICK, now servant to, and living with, William Earle, Esq. the producent, spinster, aged twenty-nine years, deposes and says, that the producent, William Earle, Esq. and she, the deponent, were born in the same town, to wit, at Malmbsbury, in the county of Wilts ; by which means she came to know him, and has so done ever since she was a child ; and she has known Katherine Earle, wife of the said William Earle, Esq. ever since they were married, by the said William Earle bringing the said Katherine Earle down to Malmbsbury, upon their said marriage ; but how long it is since then she cannot recollect ; but that between six and seven years ago she went to live as a servant with them, and has so done ever
T since ;

since ; by which means she came to be more particularly acquainted with them.

She further saith, that some time towards the latter end of the year 1764, a gentleman (then a stranger to the deponent, but whom Katherine Earle called Mr. Holland, and afterwards informed the deponent that it was one Charles Holland, one of his Majesty's company of comedians) came to pay Katherine Earle a visit at the apartments of William Earle, Esq. in Chelsea College, and which was the first time the deponent knew any thing of any connection between Katherine Earle and Charles Holland ; but from that time, 'till within a short time of the said connection being discovered by the producent, Charles Holland frequently came to see Katherine Earle at the aforesaid apartments, but the particular times when she cannot now recollect : and she verily believes, that at some of such times, he has come by the appointment of Katherine Earle, by reason that she has heard her say, previous to his coming, that Charles Holland was to dine with her upon such a day ; and he generally came

came on such days accordingly. That the general meetings of Katherine Earle and Charles Holland, at the aforefaid apartments, were always in the absence of the producent, and when he has been from home ; and therefore she verily believes that the producent never knew any thing of the said Charles Holland being at his said apartments, nor of the connection that was then between his wife and Charles Holland.

She further saith, that, at divers of the said meetings at the aforefaid apartments, Katherine Earle and Charles Holland have been left alone together in one and the same room, for several hours at a time ; (but the particular times when she cannot recollect) but whether they were ever locked in one and the same room together, she does not know.

She further saith, that, one day, happening during the space of time between the first visit of Charles Holland at Chelsea, as aforefaid, and the producent discovering the connection between his wife and Charles Holland ; but the time now

particularly she cannot recollect, the deponent went in the coach with her mistress to Kensington, in the county of Middlesex, to dine with a lady there, who being from home, they went to the Temple, with a design of dining with a nephew of the deponent's; but he likewise being from home, Katherine Earle took her to the lodgings of Charles Holland, in Covent Garden Piazza, with a design of dining with him; but, upon his telling her that he had just dined, she said she would have a dish of tea; and accordingly Katherine Earle and the deponent staid and drank tea with the said Charles Holland at his said lodgings, and staid with him between two and three hours; that, during such time, Katherine Earle and Charles Holland went out of the dining-room where they had been sitting with the deponent, and went into a bed-chamber, parted from the said dining-room by a closet, where they continued about ten minutes (to the best of her recollection as to the time) alone in such bed-chamber.

She

She further saith, that, during the afore-said space of time, the said Katherine Earle and Charles Holland, have had their meetings together at the lodgings of Alicia Gilbert, spinster, in Arundel Street, in the Strand, and have supped there together several times, when this deponent has also been with her at the said lodgings ; and at some of such times, Charles Holland used to come in the coach with Katherine Earle and the deponent, as far as was convenient for him in going to his own lodgings ; and, at other times, would only hand Katherine Earle into her coach, at the door of the house where Alicia Gilbert lodged ; but whether they were ever left alone in the same room at such lodgings, she knows not.

She further saith, that, when she has been present with Katherine Earle and Charles Holland, at some of the times before-mentioned, they appeared to the deponent to be more free in their conversation than the deponent thought commendable in a married woman : she also saith, that, either in the month of July, or
August

August last, but the time more particularly she cannot recollect, this deponent being in conversation with Katherine Earle about this affair, and what people thought of it, Katherine Earle then confessed to the deponent that she had been criminally concerned with Charles Holland at Alicia Gilbert's lodgings, which is all the deponent knows of the said Katherine Earle and Charles Holland having committed the crime of adultery together.

She further saith, that the said William Earle, the producent, about twelve months ago, withdrew himself from bed, board, and mutual cohabitation with Katherine Earle, his wife, and hath not at any time lived or cohabited with her since ; but whether he so withdrew himself immediately upon discovering the connection between Katherine Earle and Charles Holland, or not, she cannot say ; and, now looking upon the exhibit marked with the letter (A) beginning " I had not time this morning
" to tell you my dearest love how much I
" was obliged to you for your kind letter"
ending " adieu my best and dearest love
" and

“ and continue to love me as I will endeavor
“ your to deserve it ever and ever
“ your’s remember always to burn my
“ letters.” She deposes and says, that
either the latter end of March, or beginning of April last, a letter came by the post, directed to Mrs. Earle, Chelsea College, which was taken in either by Benjamin Taylor, who is and was her fellow-servant, or by her the deponent; and, Katherine Earle being from home, and Benjamin Taylor knowing the direction to be Charles Holland’s hand-writing, as he informed the deponent, and the deponent knowing the seal, and suspecting something was between Charles Holland and their said mistress, from what she has before deposed, they were tempted to see the contents of such letter, and for that purpose her said fellow-witness pulled out the ends thereof, and tore them so that they could not put them up again; upon which the deponent broke the said letter quite open, wherein she found a cover directed in these words, “ for your friend” and, upon opening such cover, they found
the

the said exhibit inclosed therein. She further saith, that, by reason that Katherine Earle has told the deponent, since the correspondence with Charles Holland has been discovered, that she always signed her name Leonora in any letter she sent to Charles Holland, in order to avoid being discovered should any letter be opened; and, by reason of what she has before deposed, she verily believes, that, by the word Leonora, mentioned in the said paper-writing, was and is meant and intended the said Katherine Earle, party in this cause; and, by reason that Katherine Earle informed the deponent, that she had made an offer to Mrs. Gilbert, mother of Alicia Gilbert, of taking a house for Katherine Earle, and the said Alicia Gilbert and herself to live with her, she verily believes that by the letters (Mrs. G.) and the words (her daughter) mentioned in the said paper-writing, were and are meant and intended the said Alicia Gilbert, spinster, and ——— Gilbert, widow, her mother; and she lastly saith, that as soon as she had opened the letter by her before-mentioned, she
burnt

burnt the outside cover thereof whereon was the direction "To Mrs. Earle, Chelsea College."

The same witness upon interrogatories.

To the first interrogatory, the witness was admonished as directed; then she answers, that she never heard, nor does she know, that the producent had for any time a desire of being divorced from the ministrant; nor did she ever hear the producent say, if he could get a divorce from the ministrant, it was all he wanted; nor did she ever declare to that effect; that she never held any correspondence with the producent about his getting a divorce, nor was she ever desired to be aiding and assisting therein, no further than becoming a witness to declare what she knows of this affair, on which she has now been examined.

To the second, that the producent never declared to her, or to any other person, to her knowledge, as interrogate, or any thing to that effect.

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To the third, that the producent never was acquainted by the respondent, or by any other person to her knowledge or belief, nor had he any reason to believe from her or any other person, to her knowledge or belief, previous to the 22d of November, 1764, of any amour or correspondence being carried on, between the interrogate Charles Holland and the ministrant.

To the fourth, that she is no ways indebted to the producent; that there has been no meeting or consultation about her being an evidence, in this or any other cause; that she is not under any obligation to the producent, nor is she any ways interested in the event of this cause; that she has not been promised, nor does she expect to receive any thing if the sentence should go in favour of the producent: that she comes to be a witness in this cause by the directions of Mr. Grene the proctor; that she first received a message to come and be produced as a witness last Friday fortnight.

EDITH GARLICK.

*December 23, 1765.**The Deposition of George Garrick, Esq.*

GEORGE GARRICK, of Furnival's Inn, London, Esq. aged about thirty-six years, to the exhibit marked (A) pleaded and exhibited, deposes and says, that he has known and been acquainted with Charles Holland, of the parish of St. Paul, Covent Garden, in the county of Middlesex, and one of his Majesty's company of comedians, for about twelve or thirteen years, to the best of his recollection as to the time ; and first became so acquainted with him, by meeting him at the house of one Mr. Vibart, in the Strand, in the county afore said ; and he further saith, that during his acquaintance with the said Charles Holland, he has frequently seen him write and subscribe his name ; particularly, he has frequently seen him write notes or cards to people of his acquaintance, and saw him sign his name to some articles, relating to his engagement at the Theatre in Drury Lane, to three several parts thereof. And the deponent has also

received several notes and letters from him, whereby he came to be, and is well acquainted with his manner and character of hand-writing; and, now looking upon the exhibit marked (A) beginning “I had not
 “ time this morning to tell you my dearest
 “ love how much I was obliged to you
 “ for your kind letter” ending “Adieu
 “ my best and dearest love and continue to
 “ love me as I will endeavour to deserve it
 “ ever and ever your’s remember always
 “ to burn my letters” he verily believes the whole series and contents of the said exhibit, to be all of the proper hand-writing of Charles Holland.

GEORGE GARRICK.

23d December, 1765.

The Deposition of Thomas Evans.

THOMAS EVANS, of Russell Street, in the parish of St. Martin’s in the Fields, in the county of Middlesex, one of the Treasurers of Drury Lane Theatre, aged about forty-four years, to the exhibit marked (A) pleaded and exhibited, deposes
 and

and says, that he has been one of the treasurers of Drury Lane Theatre for about three years last past, from which time, and, by means of his said office, he became intimately acquainted with Charles Holland, of the parish of St. Paul, Covent-Garden and one of his Majesty's company of comedians : and he further saith, that he, this deponent, receives the salary due to Charles Holland from the managers of the said Theatre ; and has a running cash account with him, on account of which he has frequently seen Charles Holland write and subscribe his name ; particularly, he has seen him write and subscribe receipts for money received by him, of this deponent ; and the deponent has likewise had many drafts from him for money, by means of which he came to be, and now is, well acquainted with his manner and character of hand-writing and subscription : and, now looking upon the said exhibit, marked (A) beginning “ I had not time this morning to tell you my dearest love how much I was obliged to you for your kind letter ” ending “ Adieu my best and
“ dearest

“ dearest love and continue to love me as
“ I will endeavour to deserve it ever and
“ ever your’s remember always to burn
“ my letters.” He saith, that he verily believes the whole series and contents of the said exhibit, are all of the proper handwriting of the said Charles Holland.

THOMAS EVANS.

Allegation given November 10, 1765.

*The By-day after Trinity Term, to wit,
Friday the 5th of July, 1765.*

On which day, the lawful proctor of the said Katherine Earle (wife of William Earle, Esq.) and under that denomination, by all better and more effectual ways and means and methods, and to all effects and purposes of law whatsoever, as may be most beneficial for his said party; doth say, alledge, and by his writing in law articulately propound as follows, to wit.

First, that the said William Earle, party in this cause, is now, and has been for several years, possessed of several freehold estates,

estates, situate, lying and being in the county of Wilts, called or known by the names of Whitchurch, Burntheath, Knot-hill and Lea, the clear yearly income of which estates to the said William Earle, amount to the sum of three hundred pounds, or at least two hundred and sixty pounds.

Second, that William Earle is now, and has been for several years, possessed of a place under the government, called the commissaryship of the musters; the clear yearly income of which amounts to three hundred pounds, or at least two hundred and fifty pounds: and the party proponent doth further alledge, that William Earle is now, and has been for several years last past, also possessed of another place under the government, called the stewardship of the Royal Hospital of Chelsea, in the county of Middlesex; the clear yearly income of which place to the said William Earle, amounts to three hundred pounds, two hundred and fifty, or at least two hundred pounds.

Third,

Third, William Earle has been, and is now also possessed of the place of Receiver-General for the county of Wilts; the clear yearly income whereof amounts to six hundred pounds, or at least five hundred pounds.

Fourth, that William Earle is now, and has been for several years last past, possessed of a share in Covent Garden Playhouse, the clear yearly income whereof amounts to twenty pounds, and is worth four hundred, or, at least, three hundred and fifty pounds.

Fifth, that William Earle has purchased, as an addition to his said freehold estates, several pieces or parcels of ground, and also a mansion-house, outhouses, gardens, and appurtenances thereunto belonging; and hath received since his intermarriage with Katherine Earle, his wife, a portion with her to the amount of eleven thousand pounds, or, at least, the sum of ten thousand eight hundred and sixty pounds; and also plate and furniture belonging to the said Katherine Earle, before his intermarriage with her; and he the said William Earle

Earle is also possessed of very rich household furniture, both in town and country; together with a quantity of plate, jewels, pictures, china, and a library of books, and also ready money and debts owing to him, and other personal estates to the amount of twenty thousand, or at least sixteen thousand pounds.

Sixth, that all and singular the premises afore said, were and are public and notorious, and so forth.

INTERROGATORIES to be administered on the part and behalf of Katherine Earle, wife of William Earle, Esq. in a certain cause of separation or divorce from bed and board, and mutual cohabitation, promoted by the said William Earle against the said Katherine Earle, his wife, in the Consistory Court of the Lord Bishop of London, and are as follows, to wit,

First, Let each witness be admonished, not to discover or disclose to either of their fellow-witnesses, or any other person, the purport of his or her examination, or ex-

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aminations,

aminations, in this cause, and then let each witness be asked ; Do you know or believe, or have heard, that the said William Earle, the producent in this cause, had for a long time, and how long, an inclination of being divorced from the said Katherine Earle, his wife, and for what reason had the said William Earle such inclination and desire ? And did you ever, and when, and, if before, or after the 22d of November, 1764, hear the said Mr. Earle declare, that if he could get a divorce from her, that was all he wanted ? And did you ever declare to the above effect, to any, and what person or persons, as you know, believe, or have heard ? Have you held any correspondence with Mr. Earle, the producent, relating to his getting a divorce ; if yea, when and where was such correspondence first held, whether by letter or otherwise, and how ? And was you desired to be aiding and assisting therein, and who first gave the said Mr. Earle, and when, any, and what intelligence about an amour being carried on between one Charles Holland and the said Mrs. Earle ?
And

And let each witness be interrogated jointly and separately.

Second, Let each witness be asked, did the said William Earle, the producent, ever, and when, declare to you, or any other person, that if he could obtain a divorce, he intended to marry again; if yea, who was such person he intended to marry? Did the said producent ever declare to you, or to any other person, if he obtained a divorce, he would marry Miss Estcourt; if yea, when did the said William Earle make such declaration, and to whom? And let each witness be interrogated as before.

Third, Let each witness be asked, Did the said William Earle, the producent, know, or was he acquainted with, or had he any reason to believe from you, or any other person, as you know, believe, or have heard, that there was any amour or intrigue carrying on between the said Katherine Earle, his wife, and one Charles Holland, previous to, and how long before the 22d of November, 1764, if yea, who gave him advice or information thereof, and why did not the said William Earle, the

producent, endeavour to prevent the same ? Let each witness give their reasons at large, and be interrogated as before.

Fourth, let each witness be asked, Are you any ways indebted to the producent, if yea, in what manner, and are you under any, and what obligations to the said producent ? Has there been any meeting or consultation, and when, and where was the same so held, about your being an evidence in this, or any other cause ? Have you any interest in the event of this cause, if yea, what is the same, and what have you been promised or expect to receive, if sentence should be in favour of the producent ; at whose request and desire, do you come to be a witness in this cause, and at what time was you first spoke to, relating to the same ? And let them be interrogated as before.

Fifth, To Miss Gilbert only. Let her be asked, Has Mr. Earle maintained you for four years last past, and particularly for one year last past, and upwards ? Did Mr. Earle take the lodgings or apartments for you in Arundel Street, where you now live,

live, or did live, if yea, with what view, and on what account, and did he engage to pay the rent for the said lodgings, or who promised so to do, for any, and what time last past, if yea, do you know with what view, and on what account, and for how long time did you continue in such lodgings, and are you there now, or when did you quit the same, and who has paid your said lodgings, or gave you money so to do, and particularly who has supported you, and paid your lodgings since you quitted them in Arundel Street, or who has given you money so to do, and what money, or to what amount, have you had of Mr. Earle in the whole? And let her be interrogated as before.

7th May, 1766.

On the Allegation, bearing date July 5, 1765.

The Deposition of Hugh Owen.

HUGH OWEN, of Lower Grosvenor Street, in the parish of St. George, Hanover Square, in the county of Middlesex,
aged

aged about thirty years, to the third article of the said allegation, deposes and says, that he personally knows William Earle, Esq. one of the parties in this cause, and came so to know him about four years ago, to the best of his recollection as to the time, which more particularly he cannot recollect; and came so to know him, by his being appointed receiver-general of the land tax for part of the county of Wilts, and which place he is now possessed of: and the deponent further saith, that he is in a department in his Majesty's office for taxes, and which board corresponds with the receivers-general of the several counties respectively; and by that means he knows the said William Earle, Esq. is now in possession of the said place of receiver-general, for part of the county of Wilts; but what the clear yearly income of such place is, this deponent does not at all know, nor can he form any judgment thereof; nor can he further depose.

HUGH OWEN.

S E N T E N C E.

Upon hearing the depositions of the evidence in this cause, a definitive sentence was given to the following effect, *viz.* that the said Katherine Earle, after the solemnization and consummation of the marriage, unmindful of her conjugal vow, &c. in the year and month libellate, did commit the crime of adultery with a strange man, calling himself Charles Holland, and did violate her conjugal duty ; it is therefore pronounced and decreed, that the said William Earle, Esq. ought by law to be divorced and separated from bed, board, and mutual cohabitation with the said Katherine Earle, his wife, on account of her having committed the crime of adultery, &c. and they are divorced and separated accordingly.

Upon hearing the depositions of the evidence in this cause, a definitive sentence was given to the following effect, viz. that the said Katherine Barker, after the solemnization and consummation of the marriage, unmindful of her conjugal vow, &c. in the year and month aforesaid, did commit the crime of adultery with a strange man, calling himself Charles Holland, and did violate her conjugal duty; it is therefore pronounced and decreed, that the said William Barker, Esq. ought by law to be divorced and separated from bed, board, and mutual cohabitation with the said Katherine Barker, his wife, on account of her having committed the crime of adultery, &c. and they are divorced and separated accordingly.

JOHN POTTER HARRIS, Esq.

AGAINST

ELIZ. MARTHA CHICHELY HARRIS.

LIBEL given in the 15th of *May*,
1776.

THE libel above-mentioned sets forth,
That in the months of June, July,
and August, 1770, John Potter Harris,
being at that time a bachelor of the age of
twenty-three years, made his addreses and
courtship, in the way of marriage, to Eli-
zabeth Martha Chichely Harris (then Eli-
zabeth Martha Chichely Plowden, spinster)
daughter of the Rev. James Plowden, a
minor of the age of twenty years: that,
on or about the 14th of August, 1770,
the said John Potter Harris, Esq. and
Elizabeth Martha Chichely Plowden, were
lawfully joined together in holy matrimony,
Y according

according to the rites and ceremonies of the church of England. That they afterwards lived and cohabited together at bed and board, as lawful husband and wife, and consummated such marriage by carnal copulation and procreation of a child or children. That John Potter Harris, Esq. is a person of a sober and modest disposition, and of a regular and virtuous life and conversation, and always behaved to his wife, during the time they lived together, with the greatest love, tenderness, and affection. That Elizabeth Martha Chichely Harris, was and is a person of a vicious and lewd disposition; and, being forgetful of her conjugal vow, hath, for some time past, given herself up to a very vicious and adulterous life, and committed adultery with the Rev. John Craven, clerk, a gentleman of a very considerable fortune, and Rector of Woolverton, in the county of Southampton, &c. The party proponent therefore prays right and justice to be effectually done and administered to him and his party in the premises, and that John Potter Harris, Esq. may be divorced from bed,
board,

board, and mutual cohabitation with Elizabeth Martha Chichely, his wife, &c.

30th May, 1776.

The Deposition of James Chichely Plowden.

JAMES CHICHELY PLOWDEN, of Aldermaston, in the county of Berks, Esq. aged about forty years, a witness produced and sworn, saith, that he is the natural and lawful brother of Elizabeth Martha Chichely Harris, wife of John Potter Harris, Esq. the party cited in this cause : that, in the year 1770, Elizabeth Martha Chichely Harris (then Plowden) lived with the deponent, when John Potter Harris, Esq. paid his addresses to her : that, on or about the 14th of August, 1770, John Potter, Esq. and Elizabeth Martha Chichely Harris (then Plowden) were, by and with the consent of George Durnford, the guardian of Elizabeth Martha Chichely Harris, who was a spinster and a minor, lawfully joined together in holy matrimony, according to the rites and ceremonies of the church of England, in the

parish church of Aldermaston, by the Rev. Zachariah Whiting, clerk, in consequence of a licence procured for that purpose ; and the deponent was present at such marriage, and gave his sister away in marriage to John Potter Harris, Esq. and the deponent, now inspecting a paper-writing or exhibit, marked with the letter A, saith, that such exhibit is, and doth contain, a true copy of the register of such marriage ; the said exhibit having been carefully examined with the original register, kept for the parish of Aldermaston, by this deponent, and found to agree therewith ; and the deponent, and John Stair, the parish clerk of Aldermaston, who was also present at such marriage, signed their names as witnesses to the original register thereof : and he well knows, that John Potter Harris, and Elizabeth Martha Chichely Plowden, in the said exhibit mentioned, and John Potter Harris, and Elizabeth Martha Chichely Harris, the parties in this cause, were and are the same persons.

He further saith, that Elizabeth Martha Chichely Harris, party in this cause, was,
prior

prior to, and at the commencement of this suit, and now is of the parish of St. Andrew, Holborn, in the county of Middlesex, and diocese of London.

JAMES CHICHELY PLOWDEN.

30th May, 1776.

ANN CHICHELY PLOWDEN, of Aldermaston, in the county of Berks, spinster, aged nineteen years and upwards, a witness produced and sworn, saith, that she well knows John Potter Harris, Esq. and Elizabeth Martha Chichely Harris, his wife, the parties in this cause. That Elizabeth Chichely Harris is the deponent's sister : that she also knows the Rev. John Craven, clerk, and hath known him from his infancy, on account of his residence in the neighbourhood, where the deponent lived ; and his being known to all the family : and the deponent saith, that, on Wednesday, the 28th of June, 1775, she went with her sister, Elizabeth Chichely Harris, in the said Mr. Harris's chariot, to Basingstoke races (the deponent being at
that

that time on a visit at Mr. Harris's house, at Basingstoke in the county of Southampton) that the deponent and her sister were accompanied to such races by the said Mr. Harris and Mr. Stillingfleet Durnford, a relation of the deponent's, who went on horseback ; that at such races they met the Rev. John Craven, who was asked by Mr. and Mrs. Harris, or one of them, to Mr. Harris's house that evening, and he consented to go thither accordingly : that, in the evening of that day, between seven and eight o'clock, as the deponent believes, Mrs. Harris and the deponent arrived at home again, at Basinghurst, in the chariot together ; and Mr. Durnford accompanied them on horseback. That in about half an hour after their arrival at home, the Rev. John Craven also came to Mr. Harris's house : that, about nine o'clock in the evening, Mr. Harris also returned home, and was a little indisposed by having drank too much ; that Mr. and Mrs. Harris, Mr. Durnford, Mr. Craven, and the deponent, all supped together, soon after Mr. Harris's arrival ; and, about ten, or soon after ten o'clock,

o'clock, Mr. and Mrs. Harris went up stairs together, and Mr. Harris went to bed, as the deponent understood and believes, in the Green bed-chamber, where Mr. and Mrs. Harris usually lay. That, in about a quarter of an hour, or some such space of time afterwards, Mrs. Harris returned to the company before-mentioned, who were still in the parlour, and about eleven o'clock they all retired to their own apartments. That the room allotted to Mr. Craven that night, was called the Blue room, in which there used to be a bedstead with blue moreen furniture, but in its stead there was then put a new mahogany bedstead, with green striped furniture. That, before the night last mentioned, Mr. Craven, on his visits to the said Mr. Harris's, which were very frequent, used to lay in another room, called the Red room, but that room was then allotted to Mr. Durnford. That, soon after the deponent had returned to her room, which was called the New room, and, as she believes, it might be half an hour after, Mrs. Harris, the deponent's sister, came to the

the deponent's said room door, and made some noise ; at which time the deponent was undressed and ready to go to bed ; and, being alarmed at the noise, the deponent asked who was there ? And Mrs. Harris answered, " Don't be frightened, it is only me," and immediately came into the deponent's said room, which was on the opposite side of the passage, from the Blue room, where Mr. Craven lay that night. That Mrs. Harris then told the deponent, that she thought John and Sally (meaning John Appleton and Sally Simmons, two servants) were not gone to bed, and she desired the deponent to look out of her room, and try if she could see or hear any thing of the said servants : that the deponent accordingly looked out of her room, and saw the said Mr. Craven peep out of his room, whereupon the deponent shut her room door again, and Mrs. Harris asked her what was the matter ? And the deponent told her Mr. Craven was there ; to which Mrs. Harris replied, " What does that signify ?" And the deponent answered, " It may not signify, but he shall not

not come into my room"—whereupon Mrs. Harris went out of the deponent's room, and the deponent looked after her, and saw her go into Mr. Craven's room; and then the deponent walked about her own room for some time, in expectation of her sister's return; but, as she did not return, the deponent in about half an hour went to bed, and heard nothing more that night. That the next morning, being Thursday, the twenty-ninth of June, 1775, about seven o'clock, Mrs. Harris came again into the deponent's said room, whilst the deponent was in bed; and the deponent then asked her, if she had been up all night, as it was much earlier than she was accustomed to rise in a morning? And Mrs. Harris answered, she had not slept all night, and said, she was come to desire the deponent not to take any notice of her having seen Mr. Craven look out of his room the night before, as by her deposed of: and the deponent answered, "Very well;" whereupon Mrs. Harris went away; and the deponent got up soon afterwards, and went down stairs into the parlour to

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her

her sister, the said Mrs. Harris : soon after which Mr. Durnford came to them ; and afterwards Mr. Craven came also to them ; and Mr. Craven immediately saluted Mrs. Harris with a kiss, in the presence of Mr. Durnford and the deponent : and the deponent lastly saith, that, from the circumstances by her before deposed of, she doth verily and in her conscience believe, that the Rev. John Craven and Elizabeth Martha Chichely Harris, party in this cause, had the carnal use and knowledge of each other's body, and committed the crime of adultery whilst they were so in the said Mr. Craven's bed-chamber together, as before-mentioned.

A. C. PLOWDEN.

31st May, 1776.

The Deposition of Sarah Simmons.

SARAH SIMMONS, of Banghurst, in the county of Southampton, spinster, aged twenty-five years and upwards, a witness produced and sworn, saith, that she hath, for near two years last past, lived in the service of John Potter Harris, of Basinghurst,

hurst, Esq. the producent in this cause, and is still in his service. That she was hired into Mr. Harris's service, to attend Elizabeth Martha Chichely Harris, his wife, as her own maid: that from the behaviour of the said Elizabeth Martha Chichely Harris, party in this cause, during the time the deponent acted in the capacity of her servant, the deponent believes Elizabeth Martha Chichely Harris to be a woman of a lewd, abandoned disposition; and that she carried on an adulterous intercourse with the Rev. John Craven, clerk, who was very frequently at Mr. Harris's house during the time the deponent acted as Mrs. Harris's servant: and there appeared to be a very great intimacy and friendship between Mr. Harris and Mr. Craven: and Mr. Craven used very frequently to be at Mr. Harris's house for a day or two at a time; that Mr. Craven was the rector of Wolverton, the next adjoining parish to Banghurst, where Mr. Harris lived; but Mr. Craven, having quit-
ted his house at Wolverton, his place of residence, when the deponent came to live

with Mrs. Harris, was at Barton Court, in the county of Berks, which is about twelve or fourteen miles from Woolverton; and therefore he used frequently to come to Mr. Harris's house of a Saturday, and stay till Monday, in order to attend his duty at Woolverton church, of a Sunday, which was only about two miles from Banghurst.

She further saith, that, whilst she acted as servant to Mrs. Harris, the deponent used to attend her to her bed-chamber, and undress her every night; and attended her also in a morning when she got up, to dress her: that, when Mr. Craven was at Mr. Harris's, he used to get up earlier in the morning than Mrs. Harris, and used sometimes to walk in the garden which was in the front of the house; and the deponent saith, that, two or three different times when Mr. Craven has been so walking in the garden, Mrs. Harris hath looked at the window of her bed-chamber, and laughed and conversed with Mr. Craven, and told him, she would come down to him soon; at which times she has only
bee

been dressing, and the deponent assisting her ; and her breasts were uncovered, and exposed to the said Mr. Craven, and she had only her shift, stays, and petticoats on.

The deponent also saith, that Mrs. Harris, two or three times, carried whey and other things, to Mr. Craven in his bed-chamber at night, when he has gone to bed before the rest of Mr. Harris's family, and has pretended to have a cold, or sore throat ; and she has staid in Mr. Craven's bed-chamber, at those times, for ten minutes, or perhaps longer ; and, at one of those times, Mr. Harris saw her coming out of Mr. Craven's room, and asked her what she did there, and was displeased thereat ; but at what particular times the transactions aforesaid happened, the deponent cannot now recollect.

This deponent further saith, that, on Friday the fourth of November, 1774, as she believes the day to have been, Mr. Craven came to Mr. Harris's house at Banghurst ; and, in the evening of that day, Mrs. Harris told the deponent to tell
Elizabeth

Elizabeth Holden, who was the housemaid, not to light the fire in Mr. Craven's bed-room the next morning, until she gave her orders so to do; and the deponent delivered the message to Elizabeth Holden accordingly: that, about seven o'clock the next morning, Mr. Harris went to Reading, in the county of Berks, in his phaeton, and was attended by his servant, John Appleton: that, between ten and eleven o'clock in the forenoon of the same day, to wit, Saturday the fifth of November, Mrs. Harris told the deponent to bring some wood for the breakfast parlour fire, and to lay it at the door of such parlour: but the deponent's fellow-servant, Elizabeth Holden, having informed her, that she had seen something that morning of an extraordinary nature pass between Mrs. Harris and Mr. Craven, she thereupon resolved to carry such wood so ordered, to be placed at the parlour-door, into the said parlour, in order to discover if any thing improper was transacting by the said Mrs. Harris and Mr. Craven, who were alone together in the said parlour at that time: that



*The Rev.^d M. Craven and M.^s Harris discovered by Sarah Simmons in
Amorous Dalliance.*

*See N^o V. pa. 25 of Trials for Adultery.
Published as the Act directs by S. Bladon Sept^r 26 1780.*

that the deponent accordingly, about eleven o'clock that morning, went into the said parlour with some wood for the fire, and she then found Mrs. Harris and Mr. Craven standing together before the fire, and stooping towards the fire, and Mr. Craven had one of his arms round Mrs. Harris's neck: that they immediately started up, in seeming confusion, and Mrs. Harris told the deponent to put down the wood, and she would put it on the fire herself; and the deponent accordingly put down the wood, and went out of the room, leaving Mrs. Harris and Mr. Craven together.

She further saith, that Mr. Craven used frequently to send letters to Mrs. Harris, and such letters were sometimes sent to her by Mr. Craven's gardener at Woolverton, sometimes by his groom; and one letter came by his gardener at Barton Court: and the deponent hath seen Mrs. Harris give money to the servants who brought such letters; and the deponent hath also seen Mrs. Harris run down stairs, when she hath seen one of Mr. Craven's servants come to her house; and hath spoke to
such

such servants, and taken letters from them herself, before any of her own servants had time to receive them : and Mrs. Harris gave orders to the deponent to take care, when any letters came from Mr. Craven, to bring them to her immediately, and not suffer Mr. Harris, or any one else, to see them : and the rest of Mr. Harris's servants were also directed, by Mrs. Harris, to give all letters which came from Mr. Craven, to her, the deponent.

This deponent further saith, that, in or about the latter end of March, 1775, Mr. Harris, the deponent's master, went to Coventry on a visit, and he staid for near three weeks from home, as the deponent believes : that, during his absence, and, as she believes, on Saturday the eighth of April, 1775, in the evening, her mistress acquainted the deponent and the other servants, as the deponent believes, that she expected their master, meaning Mr. Harris, home that night : that, in the evening of the said Saturday, Mr. Craven, and his groom, John Seymour, came to Mr. Harris's house ; but Mr. Harris did not return
for

for near a week after, as she believes. That, after Mr. Craven's arrival that evening, Mrs. Harris told the deponent, and the house-maid, Elizabeth Holden, to air a pair of clean sheets, and put them on her bed, which was done accordingly. That Miss Catherine Durnford, a relation of Mrs. Harris's, was at that time at Banghurst, in Mr. Harris's house on a visit; and she had constantly, during Mr. Harris's absence at Coventry, as aforesaid, slept with Mrs. Harris; but she was that night, the eighth of April, desired to sleep with the deponent, as she told the deponent, and she slept with her accordingly. That, soon after supper, Mrs. Harris ordered the deponent to warm Mr. Craven's bed, which was earlier than the family usually went to bed, and having warmed the same, Mr. Craven went into his room, as if he intended going immediately to bed: that Mr. Craven's said room was called the Red room, and was at the south-west end of a long passage, which led to the different bed-chambers in the house; and the bed-chambers were on each side of such pas-

sage : that, soon after Mr. Craven was gone into his room, Mrs. Harris came into the kitchen and ordered all the servants to go immediately to bed ; and she told the deponent that she should not want her that night to undress her, though the deponent had always before attended her to her chamber and undressed her : that it was Mrs. Harris's custom to go into the kitchen every night, and to see the fire put entirely out, and the kitchen put to rights, before the family went to bed ; but the said Mrs. Harris was in such a hurry to get the servants to bed on the said Saturday night, that she would not suffer them to put away the things in the kitchen as usual. That the servants all went immediately to their different apartments, and the deponent went to her's, which was at the north-east end of the passage above-mentioned, and exactly opposite to Mrs. Harris's bed-chamber, which was the south end of such passage, and called the Green room : that the deponent, and Miss Durnford, who lay with the deponent that night, had some conversation together

together in their bed-chamber, on going thither, as to the cause of Miss Durnford's sleeping with the deponent, and Miss Durnford said, she believed it was because Mr. Craven was that night to lie with Mrs. Harris ; and the deponent then said, she would watch them. That Miss Durnford went immediately to bed, and the deponent undressed herself entirely also, except that she left on one petticoat, and put on Miss Durnford's bed-gown, in order that she might readily slip into bed, in case Mrs. Harris or Mr. Craven should suspect her watching them ; and that Mrs. Harris should come into the deponent's room, to see if she was in bed ; that the deponent, being prepared as aforesaid, put out her candle, and opened the door of her room a little, and listened, and then heard her mistress walking in her room opposite the deponent's room : that, about a quarter of an hour afterwards, and she thinks it might be about twelve o'clock at night, the deponent still listening, heard the door of Mr. Craven's room, called the Red room, open, and heard Mr. Craven come

out of such room, and walk along the passage, and open the door of the Blue room, which was on the same side of the passage as Mrs. Harris's room; and, between such Blue room and Mrs. Harris's, which was the Green room, there was and is an anti-chamber with a door on one side, leading into Mrs. Harris's said room; and another door on the opposite side, leading into the Blue room; but there was not any door leading immediately out of the said anti-chamber into the public passage. That she heard Mr. Craven walk through the Blue room and the anti-chamber, into Mrs. Harris's said bed-chamber. That the deponent then went to the door of her mistress's said room, in the passage, and listened at the key-hole, and heard Mr. Craven and Mrs. Harris whispering together, and heard them kiss each other; but there was not any light in the room, and therefore she could not see any thing that passed between them; but she heard the moving of the bed-cloaths and curtains, and heard the bed crack; and the noise and shaking of the bed continued for about two or three minutes,

minutes; and immediately afterwards every thing was quite silent. That she continued listening at the said key-hole for about half an hour; and, hearing nothing more, she went away into her own room, and told Miss Durnford what she had heard, and asked Miss Durnford's advice what she should do: and particularly asked her whether it would not be proper for the deponent to go into her mistress's bed-chamber, with an excuse, that her master, Mr. Harris, was come home, as by that means she might see them in bed together. But Miss Durnford advised the deponent not to do it, saying, the deponent had heard enough, and advised the deponent to come to bed; but she, at the same time, advised the deponent to mention to her mistress in the morning, what she had seen and heard. That the deponent refused to go to bed then, and walked about the passage; and, in order to know with more certainty, whether Mr. Craven was in her mistress's bed-chamber or not, she went into Mr. Craven's room, the Red room, and found his lamp burning, and she
looked

looked into his bed, but he was not there, nor could she see any of his cloaths in his room. That the deponent then came out of such room, and left the lamp burning, and walked about the passage some time longer, and then sat down at the east end of the passage by her mistress's bed-chamber door; and, about two o'clock in the morning, of Sunday the ninth of April, the deponent heard Mr. Craven coming out of Mrs. Harris's room, and she hid herself in the nursery, which is her own room, and heard him go along the passage, and into his own room, and she heard him blow out his lamp at two or three puffs; and she then heard him come out of his room, and walk along the passage, and she looked out of her room; and by means of a light from a window in the stair case, which he passed, she then saw Mr. Craven go into the Blue room, and heard him go through that room and the anti-chamber into Mrs. Harris's room again. That he had all, or part of his cloaths on, as he so walked along the passage. That, when he was got into Mrs. Harris's room again, the deponent

poncut went to the door of such room next the passage, and listened at the key-hole, and heard Mr. Craven get into, or upon the bed, and heard Mr. Craven and Mrs. Harris whispering together, and kissing each other ; and she also heard the bed crack, and make a noise ; and such crack-
ing or rustling of the bed continued for a few minutes, and then all was silent again : and the deponent continued up, and walking in the passage, backward and forward, until about four o'clock in the morning of the said Sunday, the ninth of April, and did not hear or see Mr. Craven come out of Mrs. Harris's room during that time ; and, being then tired and sleepy, the deponent went to bed. And the deponent farther saith, that, from the circumstances by her last deposed of, she doth verily and in her conscience believe, that the said Rev. John Craven, and Elizabeth Martha Chichely Harris, party in this cause, had, whilst they were so together in the said Mrs. Harris's bed-chamber as aforesaid, the carnal use and knowledge of each other's body, and committed the foul crime
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of adultery together. And the deponent also saith, that, about eight o'clock in the morning of the said Sunday the ninth of April, the deponent went into her mistress's bed-chamber to dress her, and then the deponent told her what she had seen and heard, respecting Mr. Craven and her, the night before: Mrs. Harris at first denied it, but afterwards owned that Mr. Craven had been in her room a little while; but the deponent told her, he had been there a great while, and till after four o'clock in the morning: that Mrs. Harris then asked the deponent if she could swear to it? And the deponent answered that she could, upon which Mrs. Harris appeared exceedingly confused and agitated, and did not make any reply. That, soon after Mrs. Harris came down stairs, on the said Sunday morning, and whilst breakfast was about in the parlour, the deponent and her fellow-servant, Elizabeth Holden, went into Mrs. Harris's bed-chamber, and made her bed, which appeared very much tumbled, and they both observed several marks or spots upon the sheets, which
were

were very visible, as the sheets were put on clean the night before; and the deponent believes such marks and spots were occasioned by Mr. Craven and Mrs. Harris having lain together that night, and having had the carnal knowledge of each other. And the deponent also saith, that she waited upon her said mistress, Miss Durnford, and Mr. Craven, on the said ninth of April at dinner, and her mistress seemed much composed at that time; and both she and Mr. Craven were more grave and serious than usual. That, in the evening of that day, Mr. Craven went away from Mr. Harris's house, and he called the deponent to help him on with his great coat, and he gave her a guinea, and said something to her which she did not understand; and the said Mr. Craven never gave the deponent any thing before that time: and the deponent also saith, that the next day, Monday the tenth of April, Mrs. Harris called the deponent into her dressing-room, and gave her a gown and petticoat, and other things, and desired the deponent

not to tell tales, for that servants never got any thing by it ; or to that effect.

This deponent further saith, that, on Wednesday the 28th of June, 1775, Mrs. Harris, and her sister, Miss Nancy Plowden, who was then upon a visit at Mr. Harris's house, went to Basingstoke races in the chariot together, and they were accompanied by Mr. Harris, and Mr. Stillingfleet Durnford, a relation, on horseback : that Mrs. Harris and Miss Plowden returned home early in the evening, attended by Mr. Durnford on horseback ; and, soon after them, Mr. Craven came to Mr. Harris's also ; and, after him, Mr. Harris arrived, and, being a little intoxicated with liquor, went early to bed ; that Mr. Craven that night was to sleep in the room which had usually been called the Blue room, and in which there before had been a bed with blue moreen furniture, but there was then a new mahogany bedstead, with green striped furniture, in such room. That between eleven and twelve o'clock that night, or about twelve o'clock, and after all the family were retired to their

their apartments, John Appleton, the said Mr. Harris's man-servant, came to the deponent's room door, and informed her that Mrs. Harris was then in Mr. Craven's room with him, and desired the deponent to come and listen: that the deponent, who had only been a short time in her room, and had not then taken off any of her cloaths, went with John Appleton to the door of Mr. Craven's said room, where the bed with green striped furniture then was placed as aforesaid, and they listened at the door, and the deponent then heard the rustling of a lady's cloaths, and two persons whispering; and she verily believes such two persons were Mrs. Harris and Mr. Craven. That the deponent continued at such door about four or five minutes, listening, but, on hearing the handle of the lock of such door move, the deponent and John Appleton ran away to their respective apartments, and the deponent went immediately to bed.

This deponent further saith, that an action was some time since brought in the Court of King's-Bench, by Mr. Harris,

the producent in this cause, against Mr. Craven, for adulterous conversation with Mrs. Harris ; and such action was tried at Westminster, on or about the thirteenth of February last, before Lord Mansfield : and the deponent was examined as a witness in the said cause, and a verdict was given in favour of Mr. Harris, with three thousand pounds damages.

The same witness upon interrogatories, administered on behalf of Elizabeth Martha Chichely Harris, party in this cause.

To the first, the respondent answers, being first reminded of her oath as directed, that the respondent and her fellow-witness, John Appleton, are in the service of the producent, John Potter Harris, Esq. but she is not, nor is the said John Appleton, as she believes, under the influence and direction of the said Mr. Harris.

To the second interrogatory she answers, that she hath not had any meetings or
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consultations with the producent, his agent, or folicitor, nor with any other person, concerning her being examined as a witness in this cause. That she comes to be examined at the request of her master, Mr. Harris, the producent.

To the third she answers, that she hath not, nor have any or either of her fellow-witnesses, to her knowledge or belief, been taught or instructed by any person what to depose, or to avoid deposing, in this cause.

To the fourth she answers, that she hath not, nor have any or either of her fellow-witnesses, to her knowledge or belief, received, been promised, nor do they expect to receive, any reward, gratuity, presents, or satisfaction, for giving evidence in this cause, nor on any other account concerning the same.

SARAH SIMMONS.

ELIZA-

*31st May, 1766.**The Deposition of Elizabeth Holden.*

ELIZABETH HOLDEN, of Woolverton, in the county of Southampton, spinster, aged fifty years and upwards, a witness produced and sworn, saith, that she well knows John Potter Harris, Esq. and Elizabeth Martha Chichely Harris, his wife, the parties in this cause ; that she lived in their service, in the capacity of a house and dairy maid, for about two years and a half, and quitted their service in or about the month of June, 1775 : that she also well knows the Rev. John Craven, clerk, having lived in his service for about a year and a half, and quitted his service to come to Mr. Harris's service, at Banghurst, in the county of Southampton aforesaid. That, whilst the deponent was so in Mr. Harris's service, Mr. Craven used, towards the latter part of that time, to visit Mr. and Mrs. Harris very frequently : and, during such time, Mr. Craven removed from Woolverton, of which parish he was rector, to a place called Barton Court, at a considerable distance from Woolverton ;

Woolverton ; and, after such removal, Mr. Craven used to come to Mr. Harris's at Banghurst, on a Saturday, and stay all night, and do his duty at Woolverton church on a Sunday, which was only about two miles from Banghurst, and then return to Barton Court ; and Mr. Craven was always received with great friendship by Mr. Harris and his family. And the deponent saith, that, one evening, whilst the deponent lived in Mrs. Harris's service, but the particular time she cannot recollect, Mr. Craven came to Mr. Harris's to stay all night, on his return from some journey he had taken, and he had got a cold and a sore throat ; and Mrs. Harris desired the deponent to warm his bed, and, whilst she was warming the same, Mr. Craven came into his bed-room, and Mrs. Harris came with him, and brought some hartshorn and a black ribbon in her hand, and she then bathed the said Mr. Craven's neck with the hartshorn, and tied the black ribbon round his neck, the collar of his shirt being open : and the deponent having warmed the bed, went away, and left Mrs.

Mrs. Harris and Mr. Craven in the said bed-room together, and, soon after the deponent was returned into the kitchen, Mrs. Harris came there, and made some sack and whey herself, which she carried up stairs into Mr. Craven's bed-chamber, and staid there with him for some time, near half an hour, as she believes ; and the deponent, being up stairs in the passage, heard Mr. Harris call upon Mrs. Harris to come out of Mr. Craven's bed-room, and asked her what she had to do there so long : and Mrs. Harris thereupon came out of such room, and went to her husband in their own bed-chamber.

This deponent saith, that, on Friday the fourth of November, 1774, Mr. Craven came to Mr. Harris's, at Banghurst, and staid all night, and slept in the room called the Red room, which is situate at the south-west end of a long passage, leading to all the bed-chambers in Mr. Harris's house : that the next morning, Saturday the fifth of November, about seven o'clock, Mr. Harris went to Reading, in the county of Berks,

Berks, in his phaeton, attended by his man-servant John Appleton, and after Mr. Harris was gone for Reading, the deponent was informed by her fellow-servant, Sarah Simmons, that her mistress desired the deponent would not light a fire in Mr. Craven's room that morning, until she received orders from Mrs. Harris; that, about eight o'clock that same morning, the deponent went into John Appleton's room to make his bed; that such room has a door which opens upon the long passage before-mentioned; and whilst the deponent was making the bed, the said chamber-door was a little open; and some person, in passing by such door, shut it softly, which the deponent observing, thought it was shut by one of her fellow-servants; and the deponent immediately opened the same and looked out, and then the deponent saw her mistress very neatly dressed, go into the Red room where Mr. Craven lay, and where he then was: that the deponent seeing Mrs. Harris going into Mr. Craven's room, she immediately went to the said door, and listened for four or five

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minutes, and heard the bed crack, but did not hear one word spoken: that the deponent went from such door, where she had been listening, into the Blue room, which is on the south side of the said long passage, and where Miss Durnford, a relation of Mrs. Harris's lay, who was then upon a visit at Mr. Harris's house: and the deponent told Miss Durnford that she had seen her mistress, meaning Mrs. Harris, go into Mr. Craven's room, and had listened, and heard a shaking of the bed. And thereupon Miss Durnford exclaimed, "Lord bless me, if I had seen her, she should not have gone in," or to that effect: and the deponent saith, that she doth verily, and in her conscience believe, that Mr. Craven and Mrs. Harris, whilst they were so together in Mr. Craven's bed-chamber, as above-mentioned, had the carnal use and knowledge of each other's body, and committed the crime of adultery together. And the deponent further saith, that, in about half an hour after the transaction above-mentioned, the deponent saw Mrs. Harris in the store-room, which was
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upon the same floor as Mr. Craven's bed-chamber, and her cloaths were much tumbled, and she seemed confused, and her face was redder than usual. That she then desired the deponent to go and light the fire in Mr. Craven's room ; and the deponent went accordingly, and found Mr. Craven in bed ; and she opened one of the windows in his room, and Mr. Craven then asked her if Mr. Harris was gone his journey, and what weather it was ; and he also desired the deponent to bring him his shaving things ; but his footman coming about that time, the deponent sent the shaving things by him.

She further saith, that, whilst she was in Mr. Harris's service, Mr. Craven used to send letters to Mrs. Harris, and the deponent remembers two letters being brought from Mr. Craven to Mrs. Harris ; the one by Mr. Craven's gardener, at Woolverton, and the other by his gardener at Barton Court ; and the letter brought by the Woolverton gardener, was delivered by him into Mrs. Harris's own hands, and

the deponent saw her give him a shilling for bringing it.

This deponent further saith, that, on Sunday morning, the ninth of April, 1775, the deponent and her fellow-servant, Sarah Simmons, about nine o'clock that morning went into their mistress's bed-chamber to make her bed ; that Mr. Harris was from home at that time, and had been absent for about a fortnight : that the deponent put clean sheets upon Mr. Harris's bed the night before, by Mrs. Harris's orders ; that Mr. Craven slept in Mr. Harris's house that night ; and, in making her mistress's bed, the deponent and the said Sarah Simmons observed several marks or stains upon the said sheets, which appeared as if occasioned by a man and woman having lain together therein, and having had the carnal use and knowledge of each other's body ; and the deponent then said to her fellow-servant, the said Sarah Simmons, that she was almost certain Mr. Craven had laid with Mrs. Harris the night before, or to that effect : and the deponent
suspected

suspected it, by reason of the improper behaviour of her said mistress, as by the deponent before deposed of.

This deponent further saith, that an action was some time since brought in the Court of King's-Bench, by Mr. Harris, against Mr. Craven for criminal conversation with Mrs. Harris; and the cause came on to be tried, in or about the month of February last, and the deponent was examined as a witness in such cause, and a verdict, was given therein for Mr. Harris, with three thousand pounds damages.

The same witness upon interrogatories, administered on behalf of Elizabeth Martha Chichely Harris, party in this cause.

To the first interrogatory she answers, (having been first reminded of her oath) that she is not in the pay or service of the producent, John Potter Harris, Esq. but her fellow-witnesses, Sarah Simmons, and John Appleton, are in the producent's service.

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That this respondent is not under the influence or direction of the producent; nor are her said fellow-witnesses under any influence or direction, as to the evidence in this cause, as she verily believes: that she comes to be examined at the request of the producent.

To the second she answers, that she hath not had any meetings or consultations with the producent, his agent, or solicitor, nor with any other person, concerning her being examined as a witness in this cause.

To the third she answers, that she hath not, nor have any or either of her fellow-witnesses, to her knowledge, or belief, been taught or instructed by any person what to depose, or to avoid deposing, in this cause.

To the fourth she answers, that she hath not, nor have any or either of her fellow-witnesses, to her knowledge, or belief, received, been promised, nor do they expect to receive any reward, gratuity, presents, or satisfaction, for giving evidence in this cause.

SARAH SIMMONS.

3d June, 1776.

The Deposition of John Appleton.

JOHN APPLETON, of Banghurst, in the county of Southampton, serving-man, aged about twenty-four years, a witness produced and sworn, saith, that he well knows John Potter Harris, Esq. and Elizabeth Martha Chichely Harris, his wife, the parties in this cause; that he went to live in the service of Mr. and Mrs. Harris about Michaelmas, 1770, and hath continued in Mr. Harris's service ever since: that, during the time the deponent has lived in Mr. Harris's service, and until about the month of September last, when Mrs. Harris was sent away by Mr. Harris, on account of her misconduct, the said John Potter Harris, Esq. and Elizabeth Martha Chichely Harris, lived and cohabited together at Banghurst aforesaid, as lawful husband and wife, and constantly owned and acknowledged each other as such, and were so generally reputed, and taken to be: that about Christmas, 1771, Mrs. Harris had a child born of her body, a son,

a son, begotten by Mr. Harris, her husband, as the deponent believes ; that John Potter Harris, Esq. is a person of a worthy good disposition, and always behaved very well to his said wife ; and had apparently the greatest love, tenderness, and affection for her, and seemed a very indulgent husband.

This deponent further saith, that, he also well knows the Rev. John Craven, clerk, the Rector of Wolverton, being the next adjoining parish to Banghurst ; that the said Mr. Craven used to visit Mr. and Mrs. Harris sometimes, when the deponent first went into their service ; but within the last two years the visits became more frequent : that Mr. Craven resided at Wolverton, till about the year 1774, when he went to live at a place called Barton Court, in the county of Berks, about fifteen or sixteen miles from Banghurst : and, after his quitting his residence at Wolverton, Mr. Craven used frequently to come to Mr. Harris's house, on a Saturday, and stay till Sunday or Monday, and attended divine service at Wolverton, on the Sundays ;
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and he was always received with great friendship by Mr. Harris and his family : that, within two years last past, the deponent in his attendance upon Mrs. Harris, observed a great fondness between Mr. Craven and Mrs. Harris, and has seen Mr. Craven squeeze her hand tenderly ; and, once or twice, but when in particular, he cannot now recollect, the deponent saw Mr. Craven put his hand into Mrs. Harris's bosom, and partly up her petticoats : that, in or about the latter end of the month of August, 1774, Mr. and Mrs. Harris, and other company, went to see the Silk Mills, at Overton in Hampshire : that Mrs. Harris went with Mr. Craven alone, in his post-chaise, and Mr. Harris went on horseback, and some other ladies were in another carriage. And the deponent, on the road, observed the blind of the chaise, on the front of that side where Mrs. Harris sat, to be drawn up, and he also observed Mrs. Harris and Mr. Craven to sit in the chaise quite close, and leaning towards each other in an unbecoming manner.

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This deponent further saith, that, one day, on or about the month of November, or December, 1774, as he now best remembers the time to have been, though he is not certain, Mr. Craven dined at Banghurst, and, after dinner, Mr. Harris went out among his workmen; and, after Mr. Harris was walked out, Mrs. Harris ordered the deponent to take the sofa out of the little room, adjoining to the middle parlour, and place it in such middle parlour by the fire, in which middle parlour the company usually sat after dinner: that the deponent placed the sofa in such middle parlour accordingly, and, some little time after, he went into such parlour to make up the fire, when he saw Mr. Craven and Mrs. Harris seated together on the said sofa, and Mr. Craven had his hand up Mrs. Harris's petticoats, and both Mrs. Harris's legs were visible to the deponent; and one of them was visible to him, as high as the calf: that, (upon seeing the deponent) Mr. Craven immediately snatched his hand away from Mrs. Harris's legs, and they both turned round, looked

looked out of the window, and seemed much confused: and, the deponent, having stirred the fire, went away and left them together.

This deponent further saith, that Mr. Craven used frequently to send letters to Mrs. Harris, by his servants, some of them by a livery-servant, and others by his gardeners; and the deponent sometimes took such letters of the persons who brought them, and delivered them to Mrs. Harris, and, at other times, the deponent hath seen Mrs. Harris receive the letters herself, and she used to give the servants, who brought them, money for their trouble: and she once or twice borrowed some silver of the deponent to give the said servants: that one morning, in or about the latter end of the year 1774, as he believes, but the time more particularly he cannot set forth, John Seymour, a servant of the said Mr. Craven, brought a letter addressed to Mrs. Harris from Mr. Craven; that Mr. and Mrs. Harris were not up, when such letter arrived; that the deponent took such letter and laid it upon a table in the

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parlour,

parlour. And the deponent believes Mr. Harris saw such letter the first, and opened it, though he is not certain whether he opened it or not: that, soon after breakfast that morning, the deponent happening to be in the parlour with Mrs. Harris alone, she asked him if he did not receive the before-mentioned letter from Mr. Craven's servant, and she then very angrily asked him if he could not read? and the deponent answered, yes: that Mrs. Harris then asked the deponent, if he did not see who the said letter was directed for? and he answered, yes; and then she asked him why he did not give such letter to Sally (meaning Sarah Simmons her own maid) rather than put it in the parlour for his master to see? and the deponent replied, that he thought, when letters came directed to either his master or mistress, it was the same thing which looked at them first; but Mrs. Harris replied, it was not the same thing: and then gave the deponent a strict charge to give all letters, which came addressed to her, to Sally, meaning her own

own maid-servant, or to take care to have them delivered into her own hands.

This deponent further saith, that, on Wednesday, the twenty-eighth of June, 1775, as he believes the day to have been, Mr. and Mrs. Harris, Miss Nancy Plowden, (the said Mrs. Harris's sister) and Mr. Stillingfleet Durnford, a relation, who were both then upon a visit at Mr. Harris's, went to Basingstoke races together. That Mrs. Harris and Miss Plowden went in the chariot, and the two gentlemen on horseback : that Mrs Harris, Miss Plowden, and Mr. Durnford, returned home in the evening together, and soon after them, Mr. Craven came to Mr. Harris's to stay that night ; and last of all came Mr. Harris, who was a little intoxicated with liquor : that, soon after supper, Mr. Harris, by Mrs. Harris's persuasion, went to bed ; that the room allotted to Mr. Craven that night, had before been called the Blue room, in which there used to be a bed with blue furniture ; but a new bed with green striped furniture was then put up : that such Blue room was on the south
side

side of a long passage, leading to the different bed rooms, under the same side of such passage, as Mr. and Mrs. Harris's room ; that the said Blue room was nearly opposite to the deponent's room ; that the deponent suspected that Mr. Craven and Mrs. Harris intended to lie with each other that night, by reason of Mr. Harris's intoxication, and going to bed before the rest of the family at her persuasion : that, when all the family were retired to their apartments, and quiet, and, as he thinks it might be, about twelve o'clock at night, the deponent being determined to listen at the door of Mr. Craven's room, to find out whether his suspicions were well founded, he pulled off his shoes, and put out his candle, and went to Mr. Craven's room-door and listened ; and then plainly heard his mistress and Mr. Craven whispering together, in Mr. Craven's bed-chamber ; and he also heard the bed crack in such room, and a rustling of cloaths : that the deponent then went to the door of Sarah Simmons, the chambermaid's room, and informed her that they (meaning Mrs. Harris

Harris and Mr. Craven) were together, and desired her to come and listen; and she came accordingly, and listened with the deponent, and they heard a whispering in Mr. Craven's room: that they staid there until the handle of the door of such room was moved, and then they ran away each to their respective apartments: and the deponent left his room door a little open, and saw Mrs. Harris come out of Mr. Craven's bed-chamber, and go along the passage to Miss Plowden's room-door; and she went into Miss Plowden's room, and staid a little while, and then returned and went into Mr. Craven's bed-chamber again, and shut the door after her: and thereupon the deponent went to bed. And the deponent saith, that he doth verily, and, in his conscience, believe, that Mr. Craven and Mrs. Harris, when they were so in Mr. Craven's room together, had the carnal use and knowledge of each other's body, and committed the crime of adultery together.

This deponent further saith, that, an action was some time since brought in the
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Court of King's-Bench, by the said John Potter Harris, Esq. against the Rev. John Craven, clerk, for criminal and adulterous conversation with the said Elizabeth Martha Chichely Harris, his wife; and, in the month of February last, the said action came on to be tried before Lord Mansfield, and a special jury; and the deponent was examined as a witness in such cause, and a verdict was given for Mr. Harris, with three thousand pounds damages.

The same witness upon interrogatories.

To the first interrogatory, he answers, (having been first reminded of his oath) that he is in the service of the producent, John Potter Harris, Esq. at this time; that his fellow-witness, Sarah Simmons, is also in Mr. Harris's service at this time; but he is not, nor is his said fellow-witness, to his knowledge, under any influence or direction whatever, as to their evidence in this cause.

To the second, he answers, that he hath not had any meetings or consultations with the producent, his agent, or solicitor,
nor

nor with any other person concerning his being examined as a witness in this cause: that he comes to be examined at the desire of the producent.

To the third he answers, that he hath not, nor have any, or either of his fellow-witnesses, to his knowledge, or belief, been taught or instructed what to depose, or to avoid deposing, in this cause.

To the fourth he answers, that he hath not, nor have any, or either of his fellow-witnesses, to his knowledge, or belief, received, been promised, nor do they expect any reward, present, gratuity, or satisfaction, for giving their evidence in this cause.

JOHN APPLETON.

6th June, 1776.

The Deposition of John Grant.

JOHN GRANT, clerk to Mr. John Morgan of New Ormond Street, in the parish of St. Andrew, Holborn, in the county of Middlesex, attorney at law, aged about thirty-years, a witness produced

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and sworn, saith, that he knows John Potter Harris, of Banghurst, in the county of Southampton, Esq. the producent in this cause, by having seen him several times at the house of the said Mr. John Morgan, to whom the deponent is clerk : that an action was some time since brought in the Court of King's-Bench, by the said Mr. Harris, against the Rev. John Craven, clerk, for criminal conversation with Elizabeth Martha Chichely Harris, the wife of the said Mr. Harris : that the said action came on to be heard on the 13th day of February last, before Lord Mansfield, at Westminster, when a verdict was given for Mr. Harris, with three thousand pounds damages. And the deponent also saith, that the paper-writing or exhibit, marked with the letter B, now shewn to him, is, and doth contain a true copy of the final judgment in the aforesaid cause, or action, the same having been carefully collated with its original, remaining of record, in his Majesty's said Court of King's Bench, by George Best, and him, the deponent, and found to agree therewith ;

with ; and in testimony of the truth thereof, they severally subscribed their names thereto, as witnesses, in the presence of each other ; and that the name " John Grant" now appearing at the end or conclusion of the said exhibit, is of this deponent's own proper hand-writing and subscription.

And the deponent lastly saith, that he doth verily believe, that John Potter Harris, Esq. and Elizabeth Martha Chichely Harris, his wife, and the Rev. John Craven, clerk, mentioned in the said exhibit, and John Potter Harris, Esq. and Elizabeth Martha Chichely Harris, his wife, the parties in this cause, and the Rev. John Craven, clerk, articulate, were and are the same persons, and not diverse.

JOHN GRANT.

INTERROGATORIES admitted, and to be administered on the part and behalf of Elizabeth Martha Chichely Harris, wife of John Potter Harris, Esq. of the parish of St. Andrew, Holborn, in the county of Middlesex, and diocese of London, to all and every the pretended witnesses, produced, and to be produced, on the several pretended positions, or articles, of a certain pretended libel, and exhibit, given in, and admitted on the part and behalf of the said John Potter Harris, Esq. of Banghurst, in the county of Southampton, follow, to wit:

First, Let each witness be reminded of his oath, and asked, Are not you, or some, and which, of your fellow-witnesses in the pay or service of the producent, John Potter Harris, Esq. and under his influence and direction? Declare the truth, to the best of your knowledge and belief: let each witness be interrogated jointly and separately.

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Second, Let each witness be asked, Have you had any meetings or consultations with the producent, his agent, or solicitor, or with any, or either of your fellow-witnesses, or any other person, and who by name, concerning your being examined as a witness in this cause? At whose request do you come to be examined? and be it interrogated as before.

Third, Let each witness be asked, Have not you, or your fellow-witnesses, or some, and which of them, been taught or instructed by some person, and whom by name, what to depose, or what to avoid deposing in this cause? If you have been so taught or instructed, or know that any, or either of your witnesses have, set forth the same, fully, and at large, to the best of your recollection, knowledge, and belief; and remember you are upon your oath: and be it interrogated as before.

Fourth, Let each witness be asked, Have you, or any, or either, and which of your fellow-witnesses, to your knowledge, or belief, received, been promised, or do expect, or hope to receive any reward, gratuity,

tuity, present, or satisfaction, for giving your or their evidence in this cause, or on some other, and what account, concerning the same? Set forth the truth, according to the best of your knowledge, information, and belief; and remember you are upon your oath: and be it interrogated as before.

S E N T E N C E,

Upon hearing the depositions of the witnesses in this cause, a final sentence or decree was promulged to the following effect, *viz.* That Elizabeth Martha Chichely Harris, after the solemnization and consummation of the marriage, not having the fear of God before her eyes, hath committed adultery with the Reverend John Craven, clerk, and hath thereby violated her conjugal vow; John Potter Harris, Esq. is therefore divorced from bed, board, and mutual cohabitation with the said Elizabeth Martha Chichely Harris, his wife, &c.

LORD VISCOUNT BOLINGBROKE,

AGAINST

LADY VISCOUNTESS BOLINGBROKE.

LIBEL given in the 5th of *December*,
1767.

IN the libel above-mentioned, the Right Hon. Frederic Lord Viscount Bolingbroke, and Viscount St. John of Battersea, of the parish of St. George, Hanover Square, sets forth, that, about the year 1757, he being a batchelor, of the age of twenty years and upwards, did make his addresses and courtship, in the way of marriage, to Diana Viscountess Bolingbroke, then the Honourable Diana Spencer, eldest daughter of the Most Noble Charles, then Duke of Marlborough; at that time a spinster of the age of
twenty-

twenty-one years and upwards ; and the said Diana Spencer, now Viscountess Bolingbroke, did, with the approbation of her father, receive and entertain the said Lord Bolingbroke, as a suitor to her in the way of marriage. That, on the eighth of September, 1757, the said Frederic Lord Viscount Bolingbroke, and the Honourable Lady Diana Spencer, were, by the consent of the Most Noble Duke of Marlborough, her father, lawfully joined together in holy matrimony, at the Duke of Marlborough's house at Harbledown, in the county of Kent, in the presence of divers of the family and relations of the said Lady Diana Spencer. That they afterwards lived and cohabited together as man and wife ; that in the beginning of March, 1767, Lady Bolingbroke was delivered of a son, begotten by the said Lord Bolingbroke, her husband ; which son was baptized by the name of George Richard, and is now living ; that, in the beginning of the year, 1762, she was delivered of a daughter, begotten by her said husband, which was baptized

baptized by the name of Diana, and is since dead ; that in the month of December, 1763, she was delivered of another son, begotten by her said husband, who was baptized by the name of Frederic, and is likewise living. That some time in the month of September, 1765, Lord Bolingbroke went on a visit to Lord Orford's at Houghton, in Norfolk, and, while he was there, the said Lady Bolingbroke withdrew herself from the house of Lord Bolingbroke, in Brook Street, and ever afterwards refused to return to live and cohabit with him, notwithstanding he by frequent messages to herself and her friends for that purpose, did, for a considerable time, importune and solicit her so to do ; but, from the month of November, 1765, to this time, the said Lady Bolingbroke has lived at various places, entirely separate and apart from her husband. That, some time in or about the middle of the year 1776, Lady Bolingbroke became very intimate with Topham Beauclerk, Esq. with whom she engaged in an irregular, adulterous, and criminal

4 *Lord Viscount Bolingbroke, against*

conversation. That about the latter end of June, or the beginning of July, 1766, Lady Bolingbroke accompanied her sister, Lady Pembroke, and her husband, Lord Pembroke, to Tunbridge Wells, in Kent, where they continued till the latter end of August, or the beginning of September following; that Topham Beauclerk, Esq. was at Tunbridge Wells for the greatest part of the time that Lady Bolingbroke was there, and often went to visit Lady Bolingbroke, at the house where she and her sister lived; but generally contrived so to do in the absence of the said Lord and Lady Pembroke; that at such times they had carnal knowledge of each other, and committed the foul crime of adultery. That Lady Bolingbroke after she returned from Tunbridge Wells to her house in Charles Street, Berkely Square, was frequently visited by Topham Beauclerk, Esq. who hath dined and supped, and continued alone with her till one or two o'clock the next morning; at which times, orders were given by Lady Bolingbroke, that no person should be admitted to see her: in
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consequence of which orders, her own relations, and particular friends, have frequently been denied admittance to her. That the said Lady Bolingbroke, on or about the twentieth of August last, was delivered of a child, begotten by the said Topham Beauclerk, Esq. she being attended and assisted in such her delivery by Dr. Hunter, and others. The said Lord Bolingbroke therefore prays, that right and justice may be effectually administered, and that he may be divorced from bed, board, and mutual cohabitation with the said Lady Bolingbroke, his wife, by reason of adultery, &c.

18th December, 1767.

The Deposition of Elizabeth Thomas.

ELIZABETH THOMAS, (wife of Samuel Thomas) of the King's Mews, at Charing-Cross, (aged twenty-five years, deposes and says, that on the fourteenth or fifteenth day of November, 1765, she went to live as a servant with Lady Bolingbroke,

broke, one of the parties in this cause, in ready-furnished lodgings, in Clarges Street, Piccadilly, where she then lived separate and apart from the Right Hon. Frederic Lord Viscount Bolingbroke, and Viscount St. John of Battersea, her husband ; they having parted (as she was informed) some time in the summer, before the deponent went into her said service ; that she continued to live with Lady Bolingbroke till the twenty-eighth of April last, when she quitted her service ; and she further saith, that Lady Bolingbroke continued to live in the said lodgings, in Clarges Street, till some time in the beginning of April, 1766, and then removed to a house in Charles Street, Berkley Square, where she now lives ; and she further saith, that during the time Lady Bolingbroke lived in Clarges Street, her footman has very often come down from the dining-room, and said, that one Mr. Beauclerk (meaning Topham Beauclerk, Esq.) was up stairs with Lady Bolingbroke ; though the deponent never saw him, as she now best remembers, till after they removed to the
said

saïd house in Charles Street ; but soon afterwards she saw a gentleman coming into the saïd house on a visit to Lady Bolingbroke, but such gentleman was then a stranger to the deponent ; but she was afterwards informed by Mary Lees, Lady Bolingbroke's woman, and she since knows, that such gentleman was the saïd Topham Beauclerk, Esq. and from that time, to the time of her leaving Lady Bolingbroke's service, the saïd Topham Beauclerk, Esq. very frequently visited Lady Bolingbroke, as well at her saïd house, as at other places.

She further saith, that some time about Christmas, 1766, Lady Bolingbroke hired a house at Taplow, in the county of Bucks, as a country-house, where she went the day after Christmas-day, in the saïd year 1766, and continued there till the twenty-ninth or thirtieth of January following ; when she returned to her saïd house in Charles Street ; but that the deponent did not then attend her there, but was told by William Flockton, Lady Bolingbroke's footman, who had attended her,

her, that Topham Beauclerk very frequently visited Lady Bolingbroke at her house at Taplow ; and he had a house about three miles from the said house, Lady Bolingbroke had taken there as aforesaid ; and this deponent also saith, that during the whole of the time she lived in the service of Lady Bolingbroke, she never saw the producent come to, or be with her, nor does she believe that, during all that time, Lord Bolingbroke ever had carnal knowledge of her, by reason that the said Lady Bolingbroke never went out without a servant with her ; and if they had ever been together, she thinks she must have heard it mentioned by some of the servants in Lady Bolingbroke's family.

She also deposes and says, that some time in or about the month of July, 1766, Lady Bolingbroke set out from her house in Charles Street aforesaid, in order to go, and, as the deponent believes, did go, to Tunbridge Wells, in the county of Kent, to be with her sister, Lady Pembroke, who was there, as the deponent was informed, and believes ; that Lady Bolingbroke was
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from home about seven weeks, to the best of her remembrance, as to the time ; when she returned to her house in Charles Street ; and further she cannot of her own knowledge depose, as she did not attend Lady Bolingbroke to Tunbridge, but staid in the said house, in Charles Street, till her return.

She further deposes and says, that in about seven weeks, to the best of her recollection as to the time, from the time of her setting out from Tunbridge as aforesaid, Lady Bolingbroke returned to her house in Charles Street, and staid there till she went to Taplow, as by her before-mentioned ; and she further saith, that, from the day after the return of Lady Bolingbroke, till she went to Taplow as aforesaid, the said Topham Beauclerk visited her every day, and sometimes two or three times in a day ; generally coming about nine o'clock in the morning, and frequently dined with Lady Bolingbroke, and generally supped with her alone every night during the said time ; and sometimes would

would stay till eleven, at others twelve o'clock at night, and often till one and two o'clock in the morning; and at such times hath been alone with Lady Bolingbroke; and she further saith, that at several times, when Topham Beauclerk hath been with Lady Bolingbroke of an evening, Mary Lees hath come down stairs, and, in the presence and hearing of the deponent, told the said William Flockton, that her ladyship (meaning the said Lady Bolingbroke) would not at such times see any body, and therefore he must not let them in; and the deponent knows, that, in pursuance thereof, several persons have been denied admittance, who came to visit Lady Bolingbroke; but whom in particular she cannot now recollect.

She further saith, that Lady Bolingbroke and Topham Beauclerk, when together, used to sit in a dining-room up one pair of stairs in the said house; that in such room there always stood a large couch or settee, but the deponent does not know, nor does she believe, that the said couch was made with sides or flaps to let down; and she

further faith, that she has very frequently gone into such room, after Lady Bolingbroke and Topham Beauclerk have been alone therein together, as well in a morning about eleven or twelve o'clock, as in an evening, during the time by her before mentioned, to put the same to rights ; that she has, at some of such times, especially in a morning about eleven or twelve o'clock, after they have gone out of the said room, seen sometimes one, and sometimes both of the window-shutters of such room shut, and the curtains let down ; and in brushing the said couch, at some of such times, she has found great clots of dirt, as if it came from men's shoes, upon the said couch, and sometimes the pillows belonging to the said couch were upon the ground, and at other times they have been shoved in behind the couch, and the whole couch all tumbled, as if somebody had been laying on it ; and the arms and pillows thereof were sometimes all over hair-powder, by reason of which, she does verily believe, that Lady Bolingbroke and Topham Beauclerk, at such times, have had carnal

knowledge of each other, and committed the crime of adultery together on the said couch; and she further saith, that there was a drawing-room adjoining to the said dining-room, a door going out of the one into the other, and sometimes the couch by her before mentioned, was moved into such drawing-room, by the orders of Lady Bolingbroke, and sometimes used to be there for two or three days together, and then moved back into the said dining-room.

She further deposes and says, that on a day, happening after the return of Lady Bolingbroke from Tunbridge, and before she went to Taplow as aforesaid, but the time more particularly she cannot recollect, William Flockton came into the kitchen of the said house in Charles Street, and said, that he had been to Topham Beauclerk with a message from Lady Bolingbroke, desiring him to give her change for a twenty pound Bank note, but that Mr. Beauclerk had not any money; and Mr. Beauclerk coming in the evening to Lady Bolingbroke, the said William Flockton
came

came down into the kitchen from the dining-room where they were, and said that he saw Lady Bolingbroke have a handful of money, and that she gave him a guinea.

She further deposes and says, that, on or about the 29th or 30th of January last, William Flockton came and ordered the deponent (who had been left in the house in Charles Street, during the time Lady Bolingbroke had been at Taplow) to get fires made, for that his lady was coming; and accordingly, about dusk of the same day, Lady Bolingbroke, and the said Mary Lees, came together in the said Topham Beauclerk's post-chaise, to her house in Charles Street; that Lady Bolingbroke, in about a fortnight afterwards, was taken ill of the meazles, and was thereby confined to her bed for some days, and kept her room for about a fortnight; and, during such time, Topham Beauclerk very frequently came to see and visit her, and, at some of such times, he used to be alone with her in her bed-chamber during the time she was in bed; the deponent, when

she has gone up stairs occasionally during such times, having frequently seen him sitting by the bed-side, and Lady Bolingbroke in bed; that after she had got well enough to sit up, the couch by her before-mentioned, was, by the orders of Lady Bolingbroke, taken by the said William Flockton and the deponent into her Ladyship's bed-chamber; and the said Topham Beauclerk, during the time she was confined to her chamber, used to go generally most evenings and sit with her in her bed-chamber, and that after he had been so with her, the said couch used to appear tumbled; but that the same might be done by Lady Bolingbroke's being obliged, on account of her illness, to lie down thereon; and she further saith, that, from the time Lady Bolingbroke came from Taplow as aforesaid, she appeared to the deponent to be grown bigger than she was, and then appeared to the deponent to be with child, and from that time the same was observed and talked of among the servants of Lady Bolingbroke.

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She further saith, that, on or about the sixth or seventh of March last, Lady Bolingbroke again went to Taplow, and the deponent in about two days followed her there, and continued in the house with her there, till about the 27th or 28th of April following; that, during such time, the said Topham Beauclerk came every day to breakfast with Lady Bolingbroke, at her house at Taplow, and generally came before she was up, and at such times a message was sent up to let her know that Mr. Beauclerk was come, and she then used to come down into the parlour to him; but he never, as the deponent knows of, went up stairs into Lady Bolingbroke's bed-chamber at Taplow, before she was up; that Topham Beauclerk had a house at Cookham, about three miles from Taplow; that he almost every day also used to dine with Lady Bolingbroke, and drink tea, and sup with her, at Taplow, during the said time; and he used frequently to take her out in his chaise, and then return together, to her house at Taplow; and the said Topham Beauclerk hath frequently
staid

staid with her there alone till one o'clock in the morning; and after the times when they have been out in the chaise together, William Flockton, who used to go with them, has said, that Lady Bolingbroke and Mr. Beauclerk had been at Mr. Beauclerk's house at Cookham aforesaid; and the said Topham Beauclerk, during the said time, hath frequently sent great variety of game, and also brown bread, that used to come every week from a house he had in another part of the country, to Lady Bolingbroke, at her said house at Taplow; and sometimes he hath dressed himself at such house, and he was in general as much in and about the same, as if he had been the master thereof, and his horses generally stood in the stables of the said house, during all the time that he used to be with Lady Bolingbroke there.

She further saith, that there was a very large couch stood in the parlour of the said house at Taplow; that after Lady Bolingbroke and Topham Beauclerk had been in the said parlour alone, and had left the same, the deponent has gone in to put the
said

saïd room to rights, and has very frequently, at such times, seen the couch very much tumbled, and dirt upon it, as if it came from men's shoes; and at some times Lady Bolingbroke, when she has been alone with Topham Beauclerk, has called for candles, and had the windows shut about half an hour before there was any occasion for them; and therefore this deponent does believe, that, at the times she has seen the saïd couch so tumbled, as afore-saïd, Lady Bolingbroke and Topham Beauclerk had had the carnal knowledge of each other, and committed the foul crime of adultery together, on the saïd couch, in the saïd parlour of the saïd house at Taplow; and she further saith, that, during the time the deponent continued at Taplow with Lady Bolingbroke as afore-saïd, Lady Bolingbroke increased in size, insomuch that she was obliged to have a pair of stays let out for her whilst she was there, and had also a pair of jumps, such as are worn by women with child; and the deponent, in lacing the saïd stays or jumps, particularly observed her bigness, and that the
saïd

saïd jumps would not latterly come so close as they had done before; and the saïd Lady Bolingbroke was, during the saïd time, bled two or three times, and several times there were small boxes came to the saïd house at Taplow, directed for Topham Beauclerk; and the saïd Mary Lees told the deponent, and the saïd William Flockton, that if any boxes came directed for Mr. Beauclerk, they must set them in the parlour, and not meddle with them; and Mary Lees has frequently, after the coming of a box directed as aforesaid, given the deponent some empty phials to take away, and at such times has told her; that they were what came in the saïd box; and that Lady Bolingbroke and Mr. Beauclerk used to open such boxes, and tear the labels from the bottles, and burn them; and that Lady Bolingbroke used to take the medicines that came in such boxes, and the deponent almost every night took a bottle of physick (which, as she verily believes, used to come in the saïd boxes) and a cup up stairs to Lady Bolingbroke in her bed-chamber, where she has frequently
seen

seen her take such medicines ; that, during the time the deponent was with Lady Bolingbroke, as aforefaid, she was at times complaining of the tooth-ach and of the ear-ach, and used to be sick and have frequent vomitings ; and it was the common discourse of the servants in the house, and, as she believes, believed by them all, that Lady Bolingbroke was with child by the said Topham Beauclerk ; and further she cannot depose.

ELIZABETH THOMAS.

19th December, 1767.

The Deposition of Maria Alford.

MARIA ALFORD, spinster, now servant to, and living with Samuel Cox, Esq. in Southampton Buildings, London, aged twenty-four years, deposes and says, that on the twentieth day of August last, this deponent went to live as a servant with Lady Bolingbroke, one of the parties in this cause, at her house in Charles Street,

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Berkeley Square, and continued in such service for five weeks ; but had been hired five weeks before she went to live with the said Lady Bolingbroke, by Mary Lees, her housekeeper, in order to look after the said house whilst Lady Bolingbroke went into the country ; and was to have nine shillings a week for wages and board, and was desired by the said Mary Lees, at the time she hired her, not to disappoint her, but to be ready whenever she sent for her, be it when it would : and that, on or about the twentieth of August following, as aforesaid, a postilion belonging to one Mr. Topham Beauclerk (as she has since found him to be) came to her, and ordered her to come to Lady Bolingbroke directly ; and accordingly she went, on that day, about six o'clock : that she that night saw Mary Lees, who seemed to be, and, as the deponent verily believes, was much confused, and in a great hurry ; and told the deponent that her lady, meaning Lady Bolingbroke, was going out of town, but was taken ill with a cold, and could not go :

go: that, till about twelve o'clock that night, the deponent heard a very great noise in the house, as of the street-door opening and shutting, and of people going up and down stairs; but, as the deponent saw no person in the said house, but the said Mary Lees, that night, she cannot say who it was that so went up and down stairs; but thinks that she heard some men go up and down stairs: that, the next morning, the deponent saw no person but Mrs. Lees, who told the deponent if the postilion (meaning Mr. Beauclerk's postilion) who came to the deponent as aforesaid, should come, to let her know: that the said postilion accordingly came about eight or nine o'clock in the morning; but the deponent not going immediately to let the said Mary Lees know of it, she came down whilst he was there; that she went up stairs again immediately with the said postilion, who went away, and the deponent never saw him again till about three weeks afterwards, when he came to take Lady Bolingbroke out in Mr. Beauclerk's chaise.

She further saith, that, in about three weeks after the deponent went into her service, Mary Lees sent the deponent down to Westminster, to fetch one Miller, a chairman, to come to be in Lady Bolingbroke's house, to go of errands, and do what was wanted of him in the said house; and he accordingly came, and staid till after the deponent went away; and that, during the time she so staid in her service, after the said Miller came, the said Miller has been sent out by the said Mary Lees for some stuff, which she used to put in whey for the said Lady Bolingbroke; but what such stuff was she knows not; and she further saith, that, in about a month after the deponent went into the said service, a washer-woman, who used to wash for Lady Bolingbroke, before the deponent went to live with her, and who then lived in Westminster, as the said Miller informed the deponent, came for Lady Bolingbroke's linen: but Mary Lees told her, that Lady Bolingbroke was going out of town, and that when she was gone, she should have the linen; so that, during the time the deponent

deponent continued in the said house, such woman went away without the same, but the same was given to one Coward, who washed the same: and she further saith, that, from the time the deponent first went to her said service, Lady Bolingbroke did not come down stairs, out of her bed-chamber, for almost three weeks; that, during such times, and particularly on the first night that the deponent went there, she made caudle and chicken broth, and such like things, which were carried up stairs to Lady Bolingbroke's bed-chamber, by the said Mary Lees: and sometimes the deponent has carried things up stairs to the door of Lady Bolingbroke's bed-chamber, but did not go into the said bed-chamber, she generally knocking at the room-door, and setting what she had at the door; that when Mary Lees told the deponent that Lady Bolingbroke was ill, on the night that she went into her service, as aforesaid, the deponent asked the said Mary Lees if she was alone; to which she replied, no; that she had an acquaintance of her's with her in her bed-chamber, who was an elderly

elderly lady ; and, in about two or three days afterwards, the deponent took up something she had been making for her lady, and knocking at her bed-chamber door, a woman, who was then a stranger to the deponent, opened the door to her, and took the things of her ; and, in a few days after, the deponent carried the tea-kettle up to the said chamber, and knocked at the door, but nobody answering her, or coming to the door, the deponent heard Lady Bolingbroke call nurse ; and somebody answered her ; and at the same time, the woman, whom she had before seen, came and opened the door, and took from her the tea-kettle ; and therefore she does believe, that the woman who opened the door to her the first time, was a nurse attending upon Lady Bolingbroke : and she is now assured thereof, as the said woman afterwards, during the time the deponent staid in the house, came down stairs two or three times, when the deponent saw her ; and also by reason that such person was never in bed, during all the time she was in the said house, after
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the deponent was there, as the deponent verily believes; by reason that there was no bed in the said house, but that in which Lady Bolingbroke lay; that which Mary Lees slept in; and that which the deponent slept in; and a fourth in the pantry, where no person lay.

She further saith, that, soon after the deponent went to live with Lady Bolingbroke, Mary Lees desired the deponent not to open the door to any body, for that her lady was not then at home to every body; nor was any person admitted into the said house, during the time the deponent was there, but Topham Beauclerk, who used to come two or three times a day, and visit Lady Bolingbroke in her bed-chamber; and when she was well enough to come down stairs, he used to dine and sup with her frequently in the dining-room, and sometimes stay till eleven o'clock at night; and also, save that Lord Pembroke, Lady Charles Spencer, and Lady Caroline Adair, came once during the time the deponent lived in the said house; but the particular times when they so came,

came, she cannot recollect; and also save that one Doctor Turtle, a physician, who used to attend Lady Bolingbroke as such, used frequently to come to visit her: and she lastly saith, that, by reason of what she has above deposed, she does verily believe, that Lady Bolingbroke was delivered of a child, some short time before, or after, the deponent went into her said house in Charles Street; but which she knows not; nor did she ever hear or see the said child; nor does she know whether such child be living or dead; nor can she further depose, save that when Mr. Topham Beauclerk dined with Lady Bolingbroke, the dinner used to be brought from a tavern in Curzon Street, May Fair.

MARIA ALFORD.

22d December, 1767.

The Deposition of Mary Lees.

MARY LEES, spinster, now servant to, and living with Lady Bolingbroke, one of the parties in this cause, aged thirty-five years, deposes and says, that, on the
eighteenth

eighteenth day of November, 1765, she went to live with Lady Bolingbroke, one of the parties in this cause, as her woman and housekeeper, at her house in Clarges Street, Piccadilly, and has continued in such service ever since, during all which time Lady Bolingbroke hath dined apart and separate from her husband, the Right Honourable Lord Bolingbroke, the producent, and the other party in this cause: and she further saith, that Lady Bolingbroke never went out of town to stay any time, without the deponent's going with her, and that during all the time she has lived with Lady Bolingbroke, she never saw Lord Bolingbroke at any place where Lady Bolingbroke was, or lived, and therefore she does not believe that, ever since she has lived with her as aforesaid, Lord Bolingbroke hath had access to Lady Bolingbroke, or had carnal knowledge of her: and she further saith, that Lady Bolingbroke lived in Clarges Street, aforesaid, for about half a year after the deponent went into her service, and then took a house in Charles Street, Berkley Square,

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Square, where she now resides : and she further saith, that, during the time she lived in Clarges Street, Topham Beauclerk, Esq. (who, as she believes, was acquainted with Lady Bolingbroke when she lived with her husband, Lord Bolingbroke) used to visit Lady Bolingbroke at her said house in Clarges Street ; but whether he either dined or supped with her there, or not, she cannot say ; but saith, that some time in the month of June or July, 1766, the deponent attended Lady Bolingbroke to Tunbridge Wells, in the county of Kent, to the house of her sister, Lady Pembroke, who was then there ; and Lady Bolingbroke, and the deponent, staid there about five weeks ; and that Topham Beauclerk, Esq. was also at Tunbridge for the greatest part of that time ; but whether he went there before, or after the said Lady Bolingbroke, she cannot say : that, during such time, he sometimes visited at Lady Pembroke's, but, as the deponent believes, did not come there particularly to see Lady Bolingbroke, he being also acquainted with Lord and Lady Pembroke ; nor did she
ever

ever know that he ever came there in the absence of Lady Pembroke, or ever attempted, or contrived so to do.

She further saith, that, about the end of five weeks from the time Lady Bolingbroke went to Tunbridge, she and the deponent returned to town, and to her house in Charles Street; but the particular day, on which they returned, she cannot recollect; where she continued till some time about the three or four-and-twentieth day of December following: and she further saith, that her place was such in Lady Bolingbroke's family, that she very seldom knew who used to be with her, or visit her in town, but that, during the last mentioned time, she has often seen Topham Beauclerk with Lady Bolingbroke in her said house, and sometimes alone, when she has been occasionally wanted, or called into the room where they were: that she has known him come both before and after dinner, but she does not know that he ever dined or supped with Lady Bolingbroke, either alone or in company, during the said last mentioned time; but that he

might have done both without her knowing of it, as she never went into the dining-room, or parlour, or any other room where Lady Bolingbroke was, but to dress or undress her; unless called upon any particular occasion: that she never knew, or heard, of any orders being given by Lady Bolingbroke, at any time, when Mr. Beauclerk was with her, that no person should be admitted to see her; nor was any person, to her knowledge, ever refused admittance, in pursuance of such orders; that, at such times as she has seen Mr. Beauclerk with Lady Bolingbroke, they generally sat in a dining-room of her said house in Charles Street, and in which room Lady Bolingbroke generally sat in when alone; that there always stood in the said room a couch or settee, but not one with flaps or sides to let down occasionally, in order to enlarge it, to be more in the nature of a bed; but that the same is a common couch, or settee; that she never heard, nor does she know, that, at any time during the said last mentioned time, when Mr. Beauclerk and Lady Bolingbroke

broke had been together, that the door of the room where they have been has been locked or bolted, so that the servants could not get in: that one day, happening some time before the said twenty-third or twenty-fourth of December, by her before mentioned, but the time more particularly she cannot recollect, she heard William Flockton, Lady Bolingbroke's footman, and Elizabeth Thomas, her housemaid, say, that the said couch was dirted with shoe-blackening; that the deponent thereupon went into the said room to look thereat, but did not see any thing of such dirt upon the said couch: and she further saith, that, in the said dining-room, there is a door goes into another little room, in which room the said couch used sometimes to be moved and stand there for some time, and then removed into the dining-room, by the order of Lady Bolingbroke, she sometimes sitting in the said little room: and further she knows not, nor ever heard any of the other matters pleaded in several of the articles, save that Lady Bolingbroke hired a house at Taplow, in the county

county of Bucks, as a country-house, some time about Christmas last.

She further deposes and says, that, on or about the said twenty-third, or twenty-fourth day of December last, the deponent attended Lady Bolingbroke to her house at Taplow, where they continued till the thirtieth of January following; that Mr. Beauclerk, about the same time, came down to, and, for some short time, about a week, lodged or lay at the Orkney Arms at Maidenhead Bridge, and then removed to a house he took at Cookham, in the county of Berks, which is about two miles from Taplow; that, during the time she so continued at Taplow, Topham Beauclerk used very frequently to come to her house, sometimes to dinner, and sometimes to supper, and would sometimes stay till about ten o'clock at night; and one night he staid there till twelve o'clock, but that was owing to the postboy, who brought his chaise, being drunk; and he therefore sent him back to Maidenhead Bridge, and ordered another to come; but that, on that night, Lady Bolingbroke went to bed about
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ten o'clock ; and Mr. Beauclerk waited in the parlour for the chaise coming ; that, when he visited Lady Bolingbroke at Taplow, it was for the greatest part alone, and he at such times used to be alone with her at her said house ; that sometimes, during the time she so continued at Taplow, and when Mr. Beauclerk hath been with her alone, Lady Bolingbroke hath dined between three and four o'clock ; and that, at such times, though it has not been quite dark, yet it was too dark to dine, and, at those times, she has ordered candles to be brought in, and the windows to be shut, and has dined by candle-light ; but never, as the deponent knows of, or believes, ordered the candles to be brought and the windows to be shut, two hours before they were wanted, or any time before it was dark, but for dinner as aforesaid : that Lady Bolingbroke never, during the time she continued at Taplow, went to Mr. Beauclerk's house at Cookham, as she now best recollects ; nor does she remember that, during the said time, Mr. Beauclerk ever came to Lady Bolingbroke's house
before

before she was out of bed in a morning : that he could not go to Lady Bolingbroke's bed-chamber without the deponent's knowing it ; and that he never went into the said bed-chamber, as the deponent knows of, or believes, but once, when he went to see if it rained in, but that Lady Bolingbroke was not then there ; but when that happened she cannot particularly recollect.

She further saith, that there was a couch generally stood in the parlour of the said house, where Lady Bolingbroke and Mr. Beauclerk used to sit commonly, that the deponent, during her stay at Taplow, generally sat in the room next the said parlour ; that she never heard, nor does she believe, that the said door was ever locked, or bolted, so that the servants could not go in ; nor did she ever know, or hear, that, during the said time, the said couch has appeared to be tumbled, or that any person had ever heard any rustling or noise of cloaths on the said couch, as if two persons had been laying thereon ; nor did she

she ever hear the same herself: that Mr. Beauclerk, during the said time, never sent in any wine or provisions into the said house, or dressed himself there, or in any other instance, as the deponent knows of, or has heard or believes, ever behaved as master of the said house; nor has the deponent any reason to believe that, at any time during the stay of Lady Bolingbroke at Taplow, that Mr. Beauclerk and Lady Bolingbroke had carnal knowledge of each other, or ever committed the crime of adultery together, during that time, nor does she know further to depose to these articles.

She further deposes and says, that, on the thirtieth day of January last, Lady Bolingbroke came to her house in Charles Street, attended by the deponent in a post-chaise; but whether they came in the said Topham Beauclerk's chaise, or a hired one, she cannot recollect; but is certain that Mr. Beauclerk did not accompany her any part of the way: that some time in the month of February, Lady Bolingbroke was taken ill of the measles, and was confined

to her bed thereby, about two or three days, and to her chamber, which was up two pair of stairs, about a week; that, during such time, Mr. Beauclerk generally once a day came to visit Lady Bolingbroke, and, at such times, used to be with her in her bed-chamber; but never was with her there alone, to the best of the deponent's knowledge; there being always, during that time, a nurse attending Lady Bolingbroke; nor was he, as she knows of, or has ever heard, during the said time, ever with her in her bed-chamber when she was in bed.

She further saith, that, Lady Bolingbroke continued in town till some time in the month of March following, and that after she had got well of the said disorder, and come down stairs, Mr. Beauclerk visited Lady Bolingbroke once a day, and he might oftener, but the deponent does not ever remember to have seen him more; nor does she recollect that he, during the said time, till Lady Bolingbroke went out of town, ever dined or supped with her; but that he might do both, and the deponent

ponent not know it : that he at some such times used to be alone with her, but she never heard that, during the said space of time, that any orders were ever given by Lady Bolingbroke, that no persons should be admitted to see her when the said Topham Beauclerk was with her ; nor was any person she knows of, refused admittance to her ; but, on the contrary, she has frequently known company let in to see, and they have seen Lady Bolingbroke, when Topham Beauclerk hath been with her ; particularly Lady Bolingbroke's brothers or sisters, and other people whom she used to receive visits from, without any form or ceremony : but those persons, whom she used to receive in form, have been denied admittance when Mr. Beauclerk hath been with her, but the same persons have also been denied admittance, by her orders, when she has been alone ; and therefore she does not believe, that the same was ever done on account of Mr. Beauclerk's being with her, that, during the said space of time, she never heard nor does she believe, that the door of the room,

wherein Lady Bolingbroke and Topham Beauclerk used to sit, was ever locked or bolted, so that the servants could not get therein; nor did she ever hear, or know, that, during the said space of time, that there was ever heard any bustle or rustling of cloaths on the said couch, which was in the said room; or that when Lady Bolingbroke, and Mr. Beauclerk have left the said room, during the said space of time, that the cushions, belonging to the same, have been seen on the floor, or the marks of hair-powder have been seen at the head or top of the said couch, or the marks of shoe-blackening at the other end; or clots of dirt, such as stick to men's shoes or boots, being found at the bottom, or end, of the said couch; nor did she, during the whole of the said time, from the said thirtieth of January, to the day that Lady Bolingbroke went out of town, ever see or hear of any circumstance, or transaction whatever, that could induce her to think, or believe, that the said Topham Beauclerk and Lady Bolingbroke ever committed the crime of adultery together, or
had

had the carnal knowledge of each other ; but, whenever the deponent has seen them together, they behaved to each other with no other freedom than that of a common acquaintance.

She further deposes and says, that, some time in the month of March last, Lady Bolingbroke went to her house at Taplow, attended by the deponent, and staid there till Easter Sunday, and that, about the same time, Mr. Beauclerk came to his house at Cookham ; and that, during the time Lady Bolingbroke so continued at Taplow, he again visited her every day, and generally dined with her, and sometimes supped with her ; but never, during that time, staid with her till after eleven o'clock : that occasionally, during that time, there used to be company at Lady Bolingbroke's, particularly one Mrs. Pitt staid two or three days with her at Taplow, during the time ; but, at other times, Lady Bolingbroke and Topham Beauclerk used to be alone : that, during the said time, Topham Beauclerk never came early in a morning, before Lady Bolingbroke was
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out of bed, or ever went into her bed-chamber before she was up ; that, during this time, Mr. Beauclerk has sometimes brought his chaise, and Lady Bolingbroke has gone to take the air therein, and Mr. Beauclerk used to attend her on horseback : that, to the best of the deponent's knowledge, Lady Bolingbroke never dined, or supped, or visited Mr. Beauclerk at his said house at Cookham, during the said space of time ; nor during this time did Lady Bolingbroke order candles to be brought in, or the windows shut, before it was necessary, but to dine by, as by her before mentioned ; nor was the door of the room, where they were, ever found locked or bolted, as she ever heard or believes, during the said time ; nor did she ever hear or believe that the couch, which stood in the parlour of the said house, was ever, during the said time, found to be tumbled ; or that Lady Bolingbroke was ever found by the servants to be much disordered in her dress ; nor did she ever know, nor has she any reason to believe, that, during the said space of time, Lady Bolingbroke and
Mr.

Mr. Beauclerk ever committed the crime of adultery together.

She further saith, that, on Easter Sunday last, Lady Bolingbroke returned to London alone, the deponent coming the day before ; that she staid in London till the latter end of the month of April, and then returned to Taplow, where she staid till on or about the fifth of May following ; then she returned to London, and staid about a week ; then returned to Taplow, where she staid till August : that, during the whole of that time, Lady Bolingbroke was ill, and feverish ; and attended, when at Taplow, but the particular time when she cannot recollect, by Dr. Turton, a physician ; and she was, during that time, also attended by one Mr. Kimber, an apothecary and surgeon, at Windsor, in the county of Berks, who bled her two or three times at Taplow ; that when Dr. Turton came to see her, he was attended by the said Topham Beauclerk, who went with him into Lady Bolingbroke's bed-chamber, but she was then up and dressed : and, during the said time, that she was at Taplow,

Taplow, but which she cannot more particularly recollect, several boxes came down from one Mr. Turesdale, the apothecary, who attended Lady Bolingbroke when in town; which boxes, when they came, were always carried into the parlour; and the deponent used to be called, by Lady Bolingbroke, after a box was come, and she used to give the deponent the phials which came therein; that such phials contained bark, which the deponent used to give to Lady Bolingbroke; that when she used to receive such phials from Lady Bolingbroke, sometimes the labels were on, and sometimes not; that she cannot say to whom such boxes used to be directed; nor who opened the same; nor who took the labels from those phials, which were without; or whether they ever had any on; that, at some of the times, when she has been called to take the said phials, Topham Beauclerk has also been in the room with Lady Bolingbroke; he, during all the last mentioned times, from the said month of April, till the August following, continuing to visit Lady Bolingbroke

broke as well at Taplow as in London; he going backwards and forwards about the same time as Lady Bolingbroke used to do: that, whenever any boxes or parcels came to Lady Bolingbroke, they were carried into the parlour for her to open, and that no person ever opened any thing of that kind but herself; and that the boxes, by her before-mentioned, were carried into the parlour as any other parcel or box would have been; nor does she know or believe, that any particular orders were given that, if any such boxes were brought in her absence, they should not be opened till she came; that Lady Bolingbroke used to take such medicines twice a-day, and the deponent has sometimes carried them in to her, when Mr. Beauclerk has been there, and she has sometimes taken them in his presence, and, at other times, in his absence: that, as by her before-mentioned, Topham Beauclerk continued to visit Lady Bolingbroke almost every day, as well during the time she was at London, as at Taplow, from the said month of April till August, and once or twice Lady Bolingbroke

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lingbroke dined with him at his house at Cookham during that time; that, during all that time, he never came in a morning, and went into her bed-chamber, before she was up; nor did she ever hear, nor does she believe, that, during all that space of time, the doors of the rooms, either at London or at Taplow, where they used to be, were ever locked or bolted, so that the servants could not get admittance; nor did she ever hear, nor does she believe, that the said couches, either at London or at Taplow, upon the said Lady Bolingbroke and Topham Beauclerk going out of the rooms where they stood, were found to be, nor were they, as she believes, ever discovered tumbled or rumpled, as if two persons had been laying thereon; nor did she ever hear, nor does she know, that, during the said last mentioned time, any circumstance whatever happened, whereby she should be induced to believe, nor does she believe, that, during the said time, Lady Bolingbroke and Topham Beauclerk, Esq. ever committed the crime of adultery together,
either

either at Taplow or at London, or at any other place.

She further saith, that, on a day, happening during some of the time that Lady Bolingbroke was at London, between the said month of April, and the month of August, as aforesaid, a gentleman (then a stranger to the deponent, but whom she has since heard and believes, was one Dr. Hunter, an eminent man-midwife) came on foot to Lady Bolingbroke's said house, in Charles Street, and asked to see the said Lady Bolingbroke: and the footman asked his name, to which he said, that if he would go up stairs, and tell her a gentleman desired to speak with her, she would know who it was; that the footman accordingly went up with such message, and Lady Bolingbroke ordered such gentleman (whom she since believes to be Dr. Hunter) to be shewn up, and he accordingly went up stairs, and staid about a quarter of an hour with Lady Bolingbroke.

She further saith, that, some time in or about the month of June, or July, the deponent observed that Lady Bolingbroke's

cloaths did not fit her so well as they used to do, and that she grew larger in size; and, from that time, she continued to grow larger, insomuch that, soon afterwards, she was obliged to have her stays and gowns let out, and to wear jumps, such as are generally worn by women with child; that one of the other servants in the family, had taken notice of Lady Bolingbroke's size encreasing, and said to the deponent, that she believed she was with child; but the deponent having no reason, from all she saw of her conduct, to suppose or think that she was so, did not at that time believe it, but thought it was owing to her bad state of health, and that she was dropfical.

She further saith, that, after Lady Bolingbroke returned to her house in Charles Street, in the month of August last, she kept herself more retired than she used to do, not seeing any body but her brothers and sisters, and Mr. Beauclerk, or any other very intimate acquaintance; though she generally went out airing every day, till the twentieth of the said month of August,

August, attended by the deponent : that she used to be drove by a postilion, who formerly had used to drive Topham Beauclerk ; but that he was hired by her of a stable-keeper, as a job-servant, and not as her own hired servant ; and he was the only man-servant, that Lady Bolingbroke had in town ; the footman then being, and ever since the beginning of August having been at Taplow, where he continued till some time in the latter end of September ; though there was little or no business for him to do there ; but he was sent down by Lady Bolingbroke's orders, she, at the same time saying, that she should follow him in a day or two, but did not, she being taken ill ; that all the servants belonging to Lady Bolingbroke, were not at any time turned away, and new ones taken, without any reason given ; but the said Flockton, the then footman, was turned away, by order of Lady Bolingbroke, some time in the month of May last ; and the cook was turned away in the beginning of August following ; but the house-maid was also at Taplow, so that, for about two or
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three days, the deponent was the only servant in Lady Bolingbroke's house, saving a chairman, who was employed occasionally to go on errands; and, during that time, the said postilion used to come sometimes to light the fires, but, about three weeks before, Lady Bolingbroke having told the deponent that she would go out of town, the deponent had agreed with her fellow-witness, Maria Alford, to come and take care of her house in her absence, at the rate of nine shillings a week, for board and wages; and therefore she, on the twentieth of August last, sent for Maria Alford, and she accordingly came about noon of the same day; but, on the same day before she came, Lady Bolingbroke was, in the presence of the deponent, brought to bed of a female child, being assisted by the aforesaid gentleman (whom she believes to be Doctor Hunter) as aforesaid; and a nurse, who had been in the house for about a fortnight before, in waiting, to attend her when she should be brought to bed; but who was the father of such child, she does not know, but that she has no reason
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in the world to believe, that Mr. Beauclerk was the father thereof; nor does she know whether such child be living or dead; nor does she know whether any means whatever were taken to conceal the birth of such child from Lord Bolingbroke, or the family and friends of Lady Bolingbroke; nor does she know, nor did she ever hear, that he or they made enquiries about the same: that, after the birth of the said child, Topham Beauclerk, during the confinement of Lady Bolingbroke, visited her again as usual almost every day, and was admitted into her bed-chamber; but never, during her said confinement, dined with her, as she best remembers; that the day after Lady Bolingbroke was so brought to bed, the before-mentioned postilion called, as usual, to receive his orders as to the chaise, when the deponent, by the directions of Lady Bolingbroke, told him that she did not want him then, but did not fix the time when she should; and the said postilion, then having some wages due to him for his board, the deponent paid him the same, and gave him a guinea for the trouble

trouble he had had in coming to the house to light the fires, as by her before-mentioned; that, after she was brought to bed, the cloaths which used to be washed out, were given to a new washer-woman; and the old one was not suffered to have the same, in order that Lady Bolingbroke's delivery should not be known; that Lady Bolingbroke was confined to her chamber about a fortnight after she was brought to bed, and, during that time, had caudle and other things as women have after child-bearing; and further she cannot depose, (save that she never told the said Maria Alford, that the nurse attending Lady Bolingbroke, was an old acquaintance of her ladyship's, or any thing to that effect.)

MARY LEES.

24th December, 1767.

The Deposition of Jane Morgan.

JANE MORGAN, spinster, now lodging at the house of Sarah Bartholomew, widow, in Tufton Street, Westminster, in the county of Middlesex, aged twenty-five years,

years, deposes and says, that this deponent went to live as a servant with Lady Bolingbroke, one of the parties in this cause, on the last day of March, 1766, at a house she had then taken in Charles Street, Berkley Square; though the said Lady Bolingbroke, at that time, and for about a fortnight afterwards, lived in Clarges Street, Piccadilly; but the deponent did not live with her there; that she continued in her service for a year and five months, to the best of her recollection, as to the time, which more particularly she cannot recollect, in Charles Street, aforesaid. She further saith, that, when the deponent so went into her said service, Lady Bolingbroke lived alone, and apart from the Right Hon. Lord Bolingbroke, her husband, the producent, and the other party in this cause, but, when they first parted, she does not know; that, during the whole time she lived in her said service, Lord Bolingbroke was never in the said house in Charles Street, as the deponent verily believes, but that as she the deponent never,

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during the said time, went any where with Lady Bolingbroke, but continued in the said house in Charles Street, the whole thereof, she cannot say whether Lord Bolingbroke had access to Lady Bolingbroke at any other place during the said time or not.

She further deposes and says, that, from the first of Lady Bolingbroke's coming to live at her house in Charles Street, a gentleman, who, when he first came to the said house, was a stranger to the deponent, but whom she now knows to be Topham Beauclerk, Esq. used frequently to visit Lady Bolingbroke; but when their acquaintance first began, she cannot say; but that he did not visit there so frequently at the first, as he did the latter part of the time the deponent lived in her service; that, during the said time, she has often heard William Flockton, who was Lady Bolingbroke's then footman, when he has been up stairs to answer to the ringing of the bell, say, that he had been wanted by Lady Bolingbroke to carry a note, and sometimes a message to Mr. Beauclerk, meaning the
said

said Topham Beauclerk ; but what such notes or messages were, she knows not ; nor can she recollect the particular times the said William Flockton hath mentioned, that he hath been wanted to carry the same.

She further saith, that, in about four months after the deponent went to live with Lady Bolingbroke, the said Lady Bolingbroke set out from her said house to go to, and as this deponent verily believes, did go to Tunbridge Wells, in the county of Kent, attended by the deponent's fellow-witness, Mary Lees, her woman, and her footman, the said William Flockton ; that she staid there about six week, and then returned to her house in Charles Street ; but, as the deponent did not attend her there, she knows nothing more of the facts pleaded in that article : and she further saith, that Lady Bolingbroke, after her return from Tunbridge, staid in her house in Clarges Street, till some time about last Christmas, when she went to a house she had taken some short time before, at Taplow, in the county of Bucks, as a

country-house saving; that, during that time, she went to visit her brother, Lord Charles Spencer, at Hanworth, in the county of Middlesex, where she staid about a fortnight: that, in about a week after her return from Tunbridge, Topham Beauclerk came to visit Lady Bolingbroke at her house in Charles Street: and from that time till she went to Taplow, saving the time she was at Hanworth, he continued to visit her every day, and sometimes two or three times a-day: that sometimes, during that time, he used to come to breakfast, and sometimes to supper; and, when he has supped with her, he has sometimes staid till one or two o'clock before he went away; but when any of these times were, she cannot particularly recollect: that she never used to go up stairs, where Lady Bolingbroke and Mr. Beauclerk used to be, she being the cook in the said family, and therefore cannot, of her own knowledge, say, whether at the times the said Topham Beauclerk visited Lady Bolingbroke, they used to be alone or not; but has heard her fellow-servants, particularly

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William Flockton, when he has come down stairs from the room where they used to sit, say, that Lady Bolingbroke and Mr. Beauclerk were alone; she further saith, that, during the before-mentioned time, Mary Lees has often come down into the kitchen, and, in the hearing of the deponent, has told the said William Flockton that Lady Bolingbroke would not be at home to any person but Mr. Beauclerk, meaning the said Topham Beauclerk, and, in consequence thereof, the deponent knows that people have been refused admittance, who have come to visit Lady Bolingbroke; but who in particular has been so refused, she cannot recollect: that, at other times, during the said space of time, Mary Lees has come down stairs, when Topham Beauclerk has been with Lady Bolingbroke, and said, that her lady (meaning Lady Bolingbroke) would not be at home to any person that should come; and people who have come at such times, during Mr. Beauclerk's stay, have been denied admittance, but whom such persons were, she cannot say: that Lady Bolingbroke

broke and Topham Beauclerk used generally, when together, to sit in the dining-room of the said house, wherein there stood a large couch, but such couch had not, as she knows of, flaps or sides to let down, to enlarge it to be more in the nature of a bed; that, out of the said dining-room, there was another little room, a door going out of one into the other, but there was no couch in such room: that she does not know, of her own knowledge, that, at any time, when Lady Bolingbroke and Topham Beauclerk have been together, during the space of time by her before-mentioned, that the door of the room where they have been, has been locked or bolted, so that the servants could not go in; nor that a rustling of cloaths has ever been heard, as if two persons had been laying on the said couch; nor does she know that when the said Mr. Beauclerk hath left Lady Bolingbroke, and she hath afterwards quitted the said room, that the flaps of the said couch have been found let down, nor the cushions thereof on the floor; but that one morning (happening
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during the said space of time, but the time more particularly she cannot recollect) following an evening which the said Topham Beauclerk had been with Lady Bolingbroke, her fellow-servant, Elizabeth Stone, Lady Bolingbroke's house-maid, called her into the dining-room, to look at some dirt that was on the said couch; and the deponent then saw clots of dirt, such as stick to men's shoes or boots, upon the said couch; but that this deponent does not know, nor has she any reason to believe, that, during the said space of time, from the return of the said Lady Bolingbroke from Tunbridge, as aforesaid, till the time she went to Taplow, as aforesaid, that Lady Bolingbroke and Topham Beauclerk, Esq. ever committed the crime of adultery together, or had carnal knowledge of each other's bodies; nor can she, of her own knowledge, further depose, to this article. (Save that some time, happening during the said space of time, William Flockton came down stairs, and said, in the presence and hearing of the deponent, that

that Lady Bolingbroke had received some money, and had given him a guinea.)

She further deposes and says, that, a few days after Christmas-day last, Lady Bolingbroke went to her house at Taplow, attended by Mary Lees and William Flockton, where she staid about five or six weeks, to the best of her remembrance as to the time ; but as the deponent did not attend her thither, she cannot of her own knowledge further depose. (Save that about the time Lady Bolingbroke so went to Taplow, she heard Topham Beauclerk's servant say, that his master was then also going to Taplow, but whether he did go or not she does not know.)

She further deposes and says, that Lady Bolingbroke returned from Taplow to her house in Charles Street, in about six weeks, the said William Flockton coming on the same day before, to let the servants in town know that she was coming ; that she came to London in a post-chaise, attended by Mary Lees, which chaise the deponent heard William Flockton say, was the said Topham Beauclerk's ; but whe-

ther it was so, or not, she cannot say : that she continued in town for about six or seven weeks, to the best of her remembrance to the time ; that in about three weeks after she came to town as aforesaid, Lady Bolingbroke was taken ill of the meazles, and was thereby confined to her bed for about four or five days, and to her room upwards of a week ; that, during the time she was so confined, as well to her bed as her room, the deponent has seen the said Topham Beauclerk coming out of Lady Bolingbroke's bed-chamber, and where he had been at these times to visit her ; but whether he was ever alone with her in her bed-chamber, during her confinement, or not, she cannot say ; as she never used to go into the said room.

She further saith, that, after Lady Bolingbroke got well enough to come down stairs, the said Topham Beauclerk, during his continuance in town, again visited her every day, sometimes two or three times in a day, to breakfast, dinner, and supper ; but never, during the said time, staid long after eleven o'clock in an evening :

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that

that they frequently, during the said space of time, used to be alone together; and often, when they have been so together, company who have come, intending to visit Lady Bolingbroke, have been denied admittance; but who in particular have been so denied, or when, she cannot recollect.

She further deposes and says, that, in about a fortnight after Lady Bolingbroke recovered of her illness, she again went to Taplow, attended by Mary Lees and William Flockton, where she staid near two months, as she best remembers the time to be, but the deponent did not attend her there; that, at the end of the said time, she returned to London, and, some time after her return, the deponent observed that Lady Bolingbroke's size was larger than it used to be, and it was so much bigger that she was obliged to have her gowns let out; and, during her stay at Taplow the last mentioned time, the deponent received a letter from Mary Lees, ordering her to go, and she accordingly did go, and bespeak a new pair of jumps to be made for Lady Bolingbroke, larger
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than the last were; and, from the time she so returned from Taplow, it was generally talked of amongst Lady Bolingbroke's servants, and from the alteration in her size suspected, as well by the deponent, as the rest of her fellow-servants, as she believes, that she, the said Lady Bolingbroke, was with child: that after Lady Bolingbroke had been in town about a week, she and Mary Lees, and George Carpenter, a new footman the said Lady Bolingbroke had hired in the room of the said William Flockton, went again to Taplow, where they staid about two months, and, at the end of that time, Mary Lees came to town by herself on one day; and Lady Bolingbroke, attended by George Carpenter, came the next; that whenever she was at her house in Charles Street, during the remainder of the time the deponent continued in her said service, the said Topham Beauclerk always visited Lady Bolingbroke as before described by her; that Lady Bolingbroke generally lay in a bed, like a tent-bed, but in about a week before Lady Bolingbroke come to town the last time, a

new four-post bedstead was put up in her bed-chamber, by an upholsterer's servant, who told the deponent, whilst he was putting the same up, that his master worked for Mr. Beauclerk, meaning the said Topham Beauclerk: that, after such bed was put up, and before Lady Bolingbroke came to town, the said Topham Beauclerk's maid-servant came to see the deponent at Lady Bolingbroke's; and, upon her seeing the said new bed, she told the deponent that the pattern of such bed had been brought for her master, meaning the said Topham Beauclerk, to look at; that after Lady Bolingbroke came to town, the deponent saw a box in her chamber which had not used to be there before, but to whom such box was directed, or what it contained, she does not know.

She further deposes and says, that, on a Friday, happening about three weeks after Lady Bolingbroke came from Taplow the last mentioned time, Mary Lees came to the deponent, and told her that Lady Bolingbroke had given her orders to discharge her the deponent; that the deponent there-
upon

upon told her, she should be glad to know for what she was discharged; but the said Mary Lees told her she knew no particular reason, and accordingly she was discharged on the Tuesday following, without any reason that the deponent knows of; that, on the said Tuesday, the said George Carpenter, in the presence and hearing of the deponent, received orders from Lady Bolingbroke, by Mary Lees, to go to Mr. Tuerisdale, the apothecary, who attended Lady Bolingbroke in town, at his country-house, to desire him to come to her, the said Lady Bolingbroke, for that she was ill; that some time afterwards, on the same day the deponent went to enquire after a place, and at her return the said Mary Lees told her, that Lady Bolingbroke had sent the said George Carpenter to Taplow, to let the servants there know that she was coming down; that when she, the deponent, went from the said house, she left no servant therein but Mary Lees, and a chairman, who staid there to open the door.

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She further saith, that, from the time Lady Bolingbroke returned from Taplow the last time, till the deponent left the house as aforesaid, she kept herself more retired, and did not go out, or see so much company as she used to do; but seldom went any where, but out to take the air in a postchaise, which she did almost every day, attended generally by the said Mary Lees, and sometimes by the said George Carpenter, her footman, and sometimes without; that she was drove by a postilion, who formerly had lived with the said Topham Beauclerk, but whom the said Lady Bolingbroke had then hired as a job-servant; that the said Topham Beauclerk, during the said time, continued to visit her as he used to do, and as before described by the deponent.

The Mark X of

JANE MORGAN.

The

1st January, 1768.

The Deposition of Samuel Miller.

SAMUEL MILLER, of Old Pye Street, in the parish of St. John, Westminster, in the county of Middlesex, chairman, aged forty-nine years, deposes and says, that, on the first day of January, 1766, this deponent was hired by Lady Bolingbroke, one of the parties in this cause, as her chairman, at the rate of twelve shillings and sixpence a week, in which capacity he continued till the Christmas following, when he was discharged; during which time, when she was in town, he went every day about eleven o'clock in the morning to her house in Clarges Street, Piccadilly, where she lived when the deponent was first hired; and then to her house in Charles Street, Berkley Square, where she removed some time in the spring; that, saving when he used to be out with Lady Bolingbroke, and when he was absent to get his dinner, he was almost all day, from his first coming in a morning, till about eleven o'clock at night, or
later,

later, according as he has been wanted, in Lady Bolingbroke's house: that, after he was discharged, as aforesaid, he used to be employed occasionally by Lady Bolingbroke, and her family, and, upon that account, he used to be backwards and forwards at her house frequently, when she was in town, till on or about the fifth of September last, when he was hired by Mary Lees as a servant for the said Lady Bolingbroke; and, from that time to the twenty-seventh day of the said month, he was constantly in the said house in Charles Street, night and day, and acted as Lady Bolingbroke's footman, there being no other man-servant in the house, during the said time.

He further saith, that, when he was first hired as chairman by the week, as by him before-mentioned, the said Lady Bolingbroke lived separate and apart from her husband, the Right Hon. Lord Bolingbroke, the other party in this cause, (but when they first parted he knows not) that she continued to live apart from him during all the time since, as the deponent believes,

believes, by reason that, during all that time, he, the deponent, never saw Lord Bolingbroke in either of the said Lady Bolingbroke's houses, nor ever saw them together during all the said time; and also by reason that, at some time during the said time, when the deponent has been carrying Lady Bolingbroke in her chair, they have passed so close to the said Lord Bolingbroke, who was walking, that they must have known each other; but they have gone on without so much as taking the least notice of each other: and therefore the deponent does not believe that, during the said time by him before-mentioned, Lord Bolingbroke hath had access to, or had carnal knowledge of the said Lady Bolingbroke; though he cannot be certain thereof, by reason that she went out of town several times for a week or a fortnight, and sometimes longer, at which times the deponent did not attend her: and he further saith, that, some time about the middle of last summer, the deponent heard one William Flockton, Lady Bolingbroke's then footman, in a laughing way,

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way, say, that he thought Lady Bolingbroke's waist was grown larger ; but the deponent never observed the same, nor can he further depose.

He further deposes and says, that, on the fifth day of September last, he was hired by Mary Lees to be in Lady Bolingbroke's house, in Charles Street, as aforesaid, to go of errands, and to do the business of a man-servant, there being no other at that time in the said house ; that he accordingly went, and staid there till the twenty-seventh day of the said month, when he was discharged.

He further saith, that, Lady Bolingbroke's housemaid, cook, and footman, were all discharged at different times, some time in last summer ; but the particular time when they were so discharged he cannot recollect, nor does he know on what account they were discharged ; that when he so went into Lady Bolingbroke's house, on the said fifth of September, the footman who had been hired in the room of him so turned away, was at Taplow, in the county of Bucks, at Lady Bolingbroke's

broke's country-house; where, as the deponent was informed and believes, he was sent to prepare the house, and the other servants there for the reception of Lady Bolingbroke, she intending to have gone soon after him, but was prevented from day to day by illness; that, when he so went to Lady Bolingbroke's family, on the said fifth day of September, he found Maria Alford there, and who (as she informed him) had been there about a fortnight, and that she had been hired by Mary Lees by the week; but at what wages he does not recollect.

He further saith, that, during the said time he was in the said Lady Bolingbroke's house, she was attended by one Dr. Turton, a physician, who always attended her ever since the deponent has known her; that the deponent has, during the said time, carried prescriptions of the said Dr. Turton's for Lady Bolingbroke to the apothecary's, and waited till the medicines were made up, and brought them with him by the orders of Mary Lees; that during the said time, Maria Alford told

the deponent, that when she first went to live in Lady Bolingbroke's family, there was a nurse attending Lady Bolingbroke, but the deponent knows nothing more thereof, he never having seen such nurse, nor does he know that Lady Bolingbroke was at any time confined to her room, or bed, for three weeks or a month together, or that at any time she had caudle or other things prepared, and sent up to her, as were usually given to women after child-bearing; nor does he know, nor has he any reason to believe, that Lady Bolingbroke was, on or about the twentieth day of August, or at any other time since the deponent knew her, delivered of a child; nor can he further depose, (save that, during the time he was so in Lady Bolingbroke's family, Topham Beauclerk, Esq. used frequently to visit Lady Bolingbroke, sometimes twice a day, but never was admitted into her bed-chamber, as the deponent believes, they generally sitting in the dining-room.)

SAMUEL MILLER.

1st January, 1768.

The Deposition of William Hunter.

WILLIAM HUNTER, Doctor of physic, of German Street, in the parish of St. James, Westminster, in the county of Middlesex, aged forty-nine years, deposes and says, that some years ago he attended Lady Bolingbroke, one of the parties in this cause, as man-midwife, when she was delivered of her first child at Lord Bolingbroke the producent's house, from which time he came to be acquainted as well with Lord Bolingbroke as with Lady Bolingbroke ; that he has heard it publickly reported, and he believes that Lord Bolingbroke and Lady Bolingbroke have lived separate and apart from each other for some time, but how long, or the occasion of their so separating he knows not, nor can he further depose to this article.

He further deposes and says, that, some time in or about the month of January, or February last, the deponent received a note from Lady Bolingbroke, wherein she desired that he would come to her in the evening,

evening, she wanting to speak with him ; that he conceived from the contents of the said note, that it was upon some secret business (but whether it was particularly so expressed he does not remember) but that he accordingly went on the same evening, when it was dark, to Lady Bolingbroke's house, at the upper end of Charles Street, Berkley Square ; that, upon that night, or some other, when he visited Lady Bolingbroke, upon his knocking at the door and asking for Lady Bolingbroke, the footman asked him his name, but the deponent refused telling him ; but ordered the said servant to tell his lady that a gentleman wanted to speak to her, and he accordingly carried up such message, and soon afterwards Lady Bolingbroke's woman came down, and shewed the deponent into a little back room up stairs, where, in a very little time, Lady Bolingbroke came to him, and then appeared to the deponent to be very much flurried, and almost fainting ; infomuch that the deponent looked upon her to be under some great misfortune, and, when she was somewhat recovered,

covered,

covered, she told the deponent that she wanted to consult with him about her health ; and, from the conversation that then passed between them, the deponent then suspected, and now knows, she was with child ; that he continued to visit her occasionally from that time till some time about the twenty-fifth or twenty-sixth day of August following ; that, before such time, Lady Bolingbroke having been very ill for some time, the deponent had prescribed for her, and the 19th day of the said month of August, the deponent received a message that she was very ill, and thereupon, about nine o'clock at night, he went to visit her ; and, after having been some time with her, he found that she was in labour, and about or before eleven o'clock the same night, she was brought to bed of a daughter, assisted by the deponent, and in the presence of her own woman and ——— Molineaux, a nurse, who attended Lady Bolingbroke ; and whom, to the best of his remembrance, had been in the house some time before, waiting till she should be brought to bed : that this deponent believes

believes the said child was begot on the body of the said Lady Bolingbroke, by Topham Beauclerk, Esq. by reason that, from his first attending Lady Bolingbroke, as aforesaid, to the time of her delivery, the whole matter was conducted with great secrecy, the deponent, by desire of Lady Bolingbroke, always visiting her in an evening after it was dark, and always went on foot though it rained, that his own servants might not know he was going there ; and the said Lady Bolingbroke, still to preserve the secret, told the deponent that when he wrote, or she should write to him upon her illness, that they should make use of a feigned name in such letters, lest any of them should by accident be lost ; notwithstanding which the said Topham Beauclerk, Esq. was entirely trusted with the whole affair, and attended the deponent several times, after he first visited Lady Bolingbroke, as aforesaid ; and Lady Bolingbroke told the deponent, that he might ask Mr. Beauclerk any questions he pleased with regard to her health ; and Mr. Beauclerk waiting in the house, during
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the time of the delivery of Lady Bolingbroke ; and when all was over, the deponent went down stairs, and told him thereof, and he thereupon went immediately up stairs into Lady Bolingbroke's bed-chamber and saw her ; that, after the delivery, the deponent did not visit Lady Bolingbroke more than six or seven times, or thereabouts ; that he generally went about nine o'clock at night, and generally found Topham Beauclerk in the house, and two or three times in her bed-chamber, from all which circumstances, he does believe, that the said child was begot by the said Topham Beauclerk.

He further saith, that, after she was brought to bed, Lady Bolingbroke told the deponent that she had received a card from Lord Bolingbroke, to enquire after her health ; but he does not believe that she gave any notice to him of the birth of such child, but believes she took all the methods she could to conceal the same from him, and her friends and acquaintance ; none of whom, as the deponent believes, were admitted to see her for the

first week, or thereabouts, after she was brought to-bed ; but afterwards he believes any body that came would have been admitted : particularly, the deponent remembers to have heard her say, about that time, that she expected to see her brother, Lord Charles Spencer ; that, as by him before-mentioned, every means were made use of to keep her being brought to-bed a secret ; but the whole scheme was managed by her woman, and the particulars thereof the deponent does not know ; save that it was agreed that care should be taken, that the washerwoman who washed Lady Bolingbroke's linen, when she was brought to-bed, should not know from whence the linen came : and further he cannot depose, save that Lady Bolingbroke told him, in a conversation relative to the keeping the affair secret, that she had so managed, as to her servants, that she should have no difficulty in turning them away, or sending them into the country, which she accordingly did, all but her own woman ; who, as the deponent understood and believes, was

was for some time the only servant in the house, save only a girl or chairwoman as an assistant.

WILLIAM HUNTER.

2d January, 1767.

The Deposition of James Bishop.

JAMES BISHOP, now servant, and living with Lord Bolingbroke, one of the parties in this cause, aged twenty-three years, deposes and says, that he lived as a servant with the Right Honourable Lord Bolingbroke, one of the parties in this cause, four years before, and to the ninth day of December last, and still continues to live with him : that, till the month of October, 1765, Lady Bolingbroke, wife of Lord Bolingbroke, the other party in this cause, lived and cohabited with her said husband, but, some time in or about the month of October, 1765, Lord Bolingbroke was in Norfolk, on a visit to Lord Orford, attended by the deponent ; and, on their return to his lordship's house,

situate in Lower Brook Street, Grosvenor Square, they found that Lady Bolingbroke had, in their absence, left Lord Bolingbroke's house and family; but whether it was with the knowledge, privity, or consent of the said Lord Bolingbroke, or not, he cannot say: that, from the said time, Lord Bolingbroke and Lady Bolingbroke have lived separate and apart from each other; he, the said Lord Bolingbroke living in his said house in Brook Street, till the month of July following, when he went to York, where he staid about a week, and then returned to his house in Brook Street; and soon afterwards went to Newmarket, where he staid about three months, and then he came to some house in London, but where situate he cannot recollect; from which house he went to live in a house in Park Street, Hyde Park Corner, where he lived about six weeks, and from thence removed to a house in Queen Street, May Fair, where he has lived ever since, and does now live; that the deponent, ever since Lady Bolingbroke left the said house in Brook Street, always
attended

attended Lord Bolingbroke whenever he went out of town, and also used to attend him when he went out in his carriage in town.

He further saith, that when Lady Bolingbroke so left Lord Bolingbroke's house as aforesaid, she went to her brother, the Duke of Marlborough's, at Langley, as he believes, but is not certain thereof; that the first house she took to live in, after her leaving Lord Bolingbroke's, as aforesaid, was in Clarges Street, Piccadilly; from thence she removed to a house in Little Charles Street, Berkley Square, where she has lived ever since, and now does live: and he lastly saith, that, from the said month of October, 1765, when Lord Bolingbroke returned from Norfolk, as aforesaid, to this time, the said Lord Bolingbroke and Lady Bolingbroke have never lived or cohabited together; that from that time he never saw the said Lord and Lady Bolingbroke together; nor did she ever come to any house where the said Lord Bolingbroke lived, since that time; nor ever was with him, at any place, as he
verily

verily believes, and therefore he doth verily believe that, since the said month of October, 1765, the said Lord Bolingbroke hath not had access to Lady Bolingbroke, or carnal knowledge of her body.

JAMES BISHOP.

2d January, 1768.

The Deposition of John Dupont.

JOHN DUPONT, now valet-de-chambre to, and living with, Lord Bolingbroke, the producent, aged thirty years, deposes and says, that he has lived with Lord Bolingbroke, as his valet-de-chambre, upwards of nine years; that, from the time he first went to live with him, till some time in or about the month of September or October, 1765, Lord Bolingbroke, and Lady Bolingbroke, his wife, the other party in this cause, lived and cohabited together; that, about the said month of September or October, the deponent being out of town with Lord Bolingbroke, upon their return to his house,

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in Lower Brook Street, Grosvenor Square, they found that Lady Bolingbroke had left Lord Bolingbroke's house and family, in their absence; but whether she so left the said house, with the knowledge, privity, or consent, of Lord Bolingbroke, or not, he cannot say: that from that time to this, the said Lord and Lady Bolingbroke have never lived nor cohabited together, nor did the deponent ever see them together, nor has Lady Bolingbroke, since the said Lord Bolingbroke's return from the country, as aforesaid, to this time, ever come to any house where Lord Bolingbroke has since lived; that, during that time, Lord Bolingbroke has some times gone in the country for a week, or thereabouts, together, without the deponent, and therefore he cannot say whether Lord and Lady Bolingbroke have been together during such times; but by reason that they never lived or cohabited together as man and wife, since the said time, he does not believe that, from the said month of September or October, 1765, that Lord Bolingbroke hath

hath ever had access to Lady Bolingbroke, or had carnal knowledge of her.

He further saith, that, on the seventh of September last, the deponent carried a note from Lord Bolingbroke to Lady Bolingbroke, at her house in Charles Street, Berkley Square; that the said note was open, and the deponent read the same, and found that it contained these words, or to the same effect, "Lord Bolingbroke is very sorry to hear Lady Bolingbroke has been ill, and desires to know how she does," that he received a written answer to such note, which, being also open, the deponent read the same, and it contains the following words, or to the same effect, "Lady Bolingbroke is much obliged to Lord Bolingbroke, and she is a little better," which was all the answer to the said note; no notice being taken to the deponent of Lady Bolingbroke's having been brought to-bed, by any person in the said Lady Bolingbroke's house or family; and further he cannot depose, save that, on the day the deponent carried such note to Lady Bolingbroke, he
saw

saw Topham Beauclerk (whom he knows by sight) go into Lady Bolingbroke's house, accompanied by a gentleman, whom, to the best of the deponent's remembrance, was one Dr. Turton, a physician.

JOHN DUPONT.

5th January, 1767.

The Deposition of Mary Molineaux.

MARY MOLINEUX, widow, of North Audley Street, in the parish of St. George, Hanover Square, in the county of Middlesex, aged fifty-nine years, deposes and says, that she attended Lady Bolingbroke, one of the parties in this cause, as her nurse, when she lay-in of her first child, after her marriage with the Right Honourable Lord Bolingbroke, the pro-
ducent, which, to the best of her remembrance, is about six years ago ; by which means she first came to know, as well the said Lady Bolingbroke, as Lord Bolingbroke ; and she further saith, that she heard by public report (but knows nothing more

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of

of it) that Lord and Lady Bolingbroke were parted, and lived separate and apart from each other ; but when they so parted, or whether it was by consent of them both, she knows not ; that some time in the month of August last, she went to Lady Bolingbroke, to her house in Charles Street, Berkley Square, where she then lived, and now does live, and as she verily believes, apart from her said husband, Lord Bolingbroke ; but where she has lived, otherwise than in the said house, she knows not ; nor does she know whether since their parting, Lord Bolingbroke hath had access to Lady Bolingbroke, or had carnal knowledge of her, or not ; that when she was with Lady Bolingbroke, as aforesaid, she staid a month, and, during that time, Topham Beauclerk, Esq. used to visit Lady Bolingbroke at the said house in Charles Street, but when their acquaintance first began she knows not.

She further deposes and says, that, she was sent by Doctor William Hunter, a man-midwife, to the said Lady Bolingbroke, at her house in Charles Street, aforesaid, said,

saïd, to wait for her being brought to-bed, and to attend her in her laying-in ; the deponent's business being to attend ladies in such circumstances ; that, as by her before-mentioned, she went thither some time about the beginning of August last, and staid a month at the saïd house ; that, upon her first going, she perceived that Lady Bolingbroke was with child : and she further saith, that, when she so first went, and during all the time she staid, she saw no servant in the family, but Mary Lees, Lady Bolingbroke's woman, and a girl ; but whether such girl was in the house, when the deponent first went, or whether she came soon afterwards, she cannot say.

She further saith, that, for about the first fortnight after the deponent went, Lady Bolingbroke frequently went out in a post-chaise to take the air, attended by Mary Lees, but by no other man-servant than the boy or man who drove the chaise, and who did not live in the house, but, as the deponent believes, was only a job servant : that, during the saïd fortnight, she never went out any where to visit, or

otherwise, than to take the air, as she believes; nor did the deponent ever know any person, during the said time, come to visit Lady Bolingbroke, save the said Topham Beauclerk, whom she once saw there during the said time; but as, during the said time, the deponent used to go home sometimes in the day-time, she cannot say whether, during the said fortnight, the said Lady Bolingbroke did or did not receive visits from any of her family, or friends, when the deponent was absent.

She further saith, that, on or about the eighteenth or twentieth day of August last, as to the best of her remembrance, as to the time, Lady Bolingbroke was delivered of a female child, in the presence of the deponent, and the said Mary Lees, assisted by Doctor Hunter: that, as soon as the said child was born, she was sent away to nurse at some place in or near Westminster; but the particular place where, she knows not; that whether notice was or was not sent to Lord Bolingbroke, of the birth of such child, she cannot say; nor does she know that any methods or means were taken

taken to keep the birth of the said child secret from any person or not; that, during the time she continued in the said house, she had a room up stairs, and adjoining to Lady Bolingbroke's bed-chamber, but previous to her being brought to bed, she used to sit in the said Mary Lees' room, which was below stairs; that she was never secreted, nor prevented from going down stairs, if she thought proper so to do; and she further saith, that Lady Bolingbroke's linen, after she was brought to bed, was sent out to wash, but whether it was to the woman who used to wash for Lady Bolingbroke in general, or not, she does not know: that Lady Bolingbroke was confined to her room about ten days after she was so brought to-bed, and the deponent attended her during all that time; that, during such time, the deponent was told that Lord Pembroke had been to see her; but she did not see him, but believes no other person came to see her, during the remainder of the time the deponent staid with her, which was about three or four days after she went down stairs, as
afore said;

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aforesaid ; save the said Topham Beauclerk, who, to the best of her remembrance, came to see, and did see Lady Bolingbroke in her bed-chamber the next day after she was so brought to-bed, and continued to visit her frequently during the time she was confined to her bed-chamber, as aforesaid, but never dined there during the said time, to the best of her remembrance ; but sometimes has staid till ten o'clock at night with her, during the said time ; and further she cannot depose, save that every thing was prepared and given to the said Lady Bolingbroke that is usually given to women after they are brought to bed.

MARY MOLINEUX.

12th Jannary, 1768.

The Deposition of William Flocton.

WILLIAM FLOCTON, now servant to, and living with, Elizabeth Granville, in Queen Street, May-Fair, aged about thirty years, depofes and fays, that, on or
about

about the nineteenth of November, 1765, to the best of his remembrance as to the time, he went to live as a servant with Lady Bolingbroke, wife of the Right Hon. Lord Bolingbroke, and one of the parties in this cause ; she then living in Clarges Street, Piccadilly ; and continued in her said service till on or about the sixth or seventh of May, 1767 ; that she continued to live in Clarges Street, till the Lady-day after the deponent went to live with her, and then removed into a house in Charles Street, Berkley Square, where she has lived ever since, when in town ; but that some time about Christmas, 1766, she went to a house at Taplow, in the county of Bucks, which she had taken, or had been taken for her, as a country-house ; and from that time, till the deponent left her, she used occasionally to go down there : and he further saith, that, during all the whole time the deponent lived in the service of Lady Bolingbroke, she lived separate and apart at the aforesaid places, from the said Lord Bolingbroke, her husband (whom the deponent well knows by sight)

fight) nor was the said Lord Bolingbroke, as he verily believes, during the said time, ever in any house or place where she so lived and resided : that, to the best of the deponent's remembrance, Lady Bolingbroke, during the said time, never went out any where without the deponent ; and the deponent never saw the said Lord and Lady Bolingbroke together, during the said time ; and the deponent does therefore verily believe, that, during the said time, the said Lord Bolingbroke hath not had access to, or had carnal knowledge of the said Lady Bolingbroke : and he is the more confirmed in his said belief, by reason that the said Lady Bolingbroke would not keep the most trifling thing belonging to the said Lord Bolingbroke ; and has frequently given the deponent trifling books, and pieces of paper, which belonged to Lord Bolingbroke, and ordered him to carry the same to Lord Bolingbroke's house, or send the chairman with them ; which he has accordingly done : but whether Lord Bolingbroke, during the said time, or at any other, hath importuned or solicited Lady Boling-

Bolingbroke to return to live and cohabit with him, or not, he cannot say; nor does he know when or on what account they first separated: and he further saith, that, when the deponent first went to live with Lady Bolingbroke, in Clarges Street, aforesaid, Topham Beauclerk, Esq. used to visit her there, sometimes about twice or thrice a week, they being acquainted before the deponent went into his said service; but when such acquaintance first began, he knows not; and, during her residence in Clarges Street, after the deponent went thither, the said Lady Bolingbroke and Topham Beauclerk, Esq. sent notes and messages to each other; the deponent having carried several notes from Lady Bolingbroke to Mr. Beauclerk, and brought others from him, in answer to those he had carried; but the contents of the said notes, or either of them, he never knew.

He further deposes and says, that, some time in the month of July, 1766, Lady Bolingbroke went from her house in Charles Street, to Tunbridge Wells, in the county

of Kent, to her sister, Lady Pembroke's house there, attended by her woman, the deponent's fellow-witness, Mary Lees, and him the deponent, and continued at Tunbridge Wells about seven weeks, and was all that time in Lady Pembroke's house; and in about two days after Lady Bolingbroke arrived at the said Lady Pembroke's house, the said Topham Beauclerk, Esq. came there also on a visit, and continued frequently to visit there during all the time Lady Bolingbroke staid there: that he very frequently came there when Lady Pembroke was out, and also in the absence of Lord Pembroke (who was only three once during the said time for about three days) and therefore the deponent verily believes, he came there more to see Lady Bolingbroke than Lady Pembroke, though he believes he was also acquainted with Lord and Lady Pembroke; and he further saith, that on a day, happening during their stay at Tunbridge, the said Topham Beauclerk being alone with Lady Bolingbroke in the said Lady Pembroke's house, the said Lord and Lady Pembroke, and
most

most of their servants being from home, the deponent, hearing the bell ringing, went into the parlour where the said Mr. Beauclerk and Lady Bolingbroke then were alone, when Lady Bolingbroke asked for a glass of water, which the deponent accordingly carried her; and some time after the deponent had taken the glass out of the room, he saw the said Topham Beauclerk and Lady Bolingbroke quit the parlour where they had been sitting, and go across the passage into another parlour, where they staid about five or ten minutes: that there always stood a couch in the said parlour, from the said Lady Bolingbroke's first going to Tunbridge, till she left it, the deponent by her directions having hired the same by the week upon her first going; that, upon the said Mr. Beauclerk and Lady Bolingbroke's quitting the said room, the deponent's curiosity led him to go into it, and, upon his going therein, he saw the said couch rumped as if it had been made use of; the shutters of the room were almost shut close, so that scarce any light could come in; which was not

so, as the deponent believes, when they first went therein, by reason that he had been in the said room about an hour before their going in, and he then left the said window shutters open; and they were generally opened in a morning, and not shut till the evening; and by reason of the said couch being so tumbled, and the said shutters being shut, as aforesaid, he verily believes that the said Topham Beauclerk and Lady Bolingbroke had then been committing the crime of adultery, and had had carnal knowledge of each other.

He further deposes and says, that Lady Bolingbroke left Tunbridge aforesaid, and returned to her said house in Charles Street the latter end of August, or beginning of September, attended by Mary Lees and the deponent; that Lady Bolingbroke set out from Tunbridge, on her return, about six o'clock in the evening, and lay at Farnborough; which, as the deponent believes, is about half way to London from Tunbridge, and the next morning the said Topham Beauclerk came to the house at Farnborough where she lay, before she set
out,

out, and they came to town together, the said Lady Bolingbroke and her woman in one chaise, and the said Topham Beauclerk in another.

He further saith, that, soon after Mr. Beauclerk's return to town, he was taken ill, and was thereby confined to his house about a week, during which time Lady Bolingbroke sent every day to know how he did; and, upon his recovery, till the Christmas following, when Lady Bolingbroke went to Taplow as aforesaid, the said Topham Beauclerk visited Lady Bolingbroke at her house in Charles Street, two or three times every day; first coming about nine, or ten o'clock in the morning; then again about two o'clock in the afternoon; and then again about five o'clock, and sometimes later in an evening: and used to sup there every night, sometimes for a month together, and frequently staid till about eleven o'clock, and sometimes till one and two o'clock in a morning, and once he staid till three o'clock in the morning: that, on the evening preceding the said morning, one Miss Lloyd had been there to play at cards

cards with Lady Bolingbroke and Mr. Beauclerk ; that the said Miss Lloyd went away about twelve o'clock, leaving Lady Bolingbroke and Mr. Beauclerk together ; and Mr. Beauclerk staid alone with her till three o'clock : and he further saith, that, at the time Mr. Beauclerk visited Lady Bolingbroke, as aforesaid, they generally were alone together, sitting in a dining-room up one pair of stairs, or in a little room backwards, which opened out of the said room ; that there was a couch stood always in one of the said rooms, or the other, it being frequently removed out of the one into the other by the directions of Lady Bolingbroke : that the deponent has received orders from Lady Bolingbroke frequently, when the said Topham Beauclerk hath been with her, that she would not be at home to any person ; and that the deponent must deny her to every body that came, which he has accordingly done very frequently, during the said space of time ; and, at other times, she has told the deponent that she would not be at home

home to any body ; but soon afterwards, the said Mr. Beauclerk coming, the deponent, from the intimacy that subsisted between him and Lady Bolingbroke, always admitted him, and he was at such times received by Lady Bolingbroke : and he further saith, that previous to Lady Bolingbroke's going to Taplow, as aforesaid, but the time more particularly he cannot recollect, the said Topham Beauclerk being with Lady Bolingbroke at her house in Charles Street, about nine o'clock in the evening, the said Topham Beauclerk's chairman brought his chair for him, and thereupon the deponent went up stairs to inform him thereof, and they being in the aforesaid back room, which went out of the said dining-room, and had also a door opened upon the stair's head, he, the deponent, endeavoured to open the said door on the stairs, but found the same locked or bolted, so that he could not get in ; and being much surprized thereat, he never having found any door fastened before where they were, he stood about two minutes to listen, and he then heard the said couch
(which

(which was then in the said room) crack and make a noise, as if there were persons on it, and he also heard a noise and rustling of cloaths, as if two persons had been upon the said couch: that then the deponent went down stairs, lest he should be discovered by them, and after waiting some time in the passage, talking to Mr. Beauclerk's chairman, he heard the door of the said back room open and shut, and thereupon he went into the said room, where he found Lady Bolingbroke and Topham Beauclerk sitting upon the said couch; and he then told Mrr. Beauclerk that his chair was come; that, upon his going into the said room, Lady Bolingbroke and Mr. Beauclerk appeared to him to be, and, as he believes, were a little flurried and confused.

He further saith, that, from the return of the said Lady Bolingbroke from Tunbridge, to her going to Taplow, as afore-said, he has very frequently gone into the dining-room, or the little back room by him before-mentioned, which ever they had

had been fitting in, immediately upon Lady Bolingbroke and Mr. Beauclerk quitting the same, and has at such times seen the said couch tumbled and rumped, as if they had been upon it; and hair-powder at the top and clots of dirt, such as come from men's shoes and boots, at the other end; and the said couch, at such times, has appeared as if two persons had been laying thereon; and, by reason of what he has now deposed, he verily believes, that at the times he has so seen such couch disordered as aforesaid, and also at the time he heard the rustling noise in the said back room, at the time he went up to acquaint Mr. Beauclerk that his chair was come, the said Lady Bolingbroke, and Topham Beauclerk, had been committing the crime of adultery together, and had had the carnal knowledge of each other on the said couch.

He further saith, that, about a day or two before Lady Bolingbroke went to Taplow as aforesaid, she sent the deponent to Mr. Beauclerk to desire he would bring her money to change a Bank note

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when he came in the evening, which message the deponent accordingly carried to him; and, in the evening of the same day, Topham Beauclerk came to visit Lady Bolingbroke, and supped with her, and staid till between eleven and twelve o'clock; and, upon his going, the deponent went up stairs into the dining-room, where they had been sitting, in order to take the things away, and he then saw Lady Bolingbroke with a handful of money, shaking it about; and, as the deponent was going out of the said room, she called him back, and gave him a guinea out of the said money.

He further deposes and says, that, within a day or two of Christmas-day, 1766, the said Lady Bolingbroke went to her house at Taplow, in the county of Bucks, attended by the said Mary Lees, and the deponent, where she staid about six or seven weeks; and, in a day or two afterwards, the said Topham Beauclerk, Esq. also came down to Taplow aforesaid, on a visit to the said Lady Bolingbroke, and he then lodged at the house of Mr. March, the
Orkney

Orkney Arms, at Maidenhead Bridge ; which is about two miles from Lady Bolingbroke's house ; and he continued to lodge there for about three weeks : and then removed to a house, which he had before taken, at Cookham, in the county of Berks, which is also about two miles from the said Lady Bolingbroke's said house ; and continued there all the time Lady Bolingbroke staid at Taplow afore-said : saving he might sometimes, during the said time, come to London for a day, and back again ; and he further saith, that during the said time that Lady Bolingbroke so continued at Taplow, the said Topham Beauclerk used very frequently to visit her at her said house, as well during the time he lodged at Maidenhead Bridge, as when he removed to his house at Cookham afore-said ; that generally when he so visited her, he came about eleven or twelve o'clock in the morning, and would stay sometimes till twelve o'clock at night, and sometimes till one o'clock in the morning ; and, to the best of his remembrance, he thinks he has sometimes staid till near two

o'clock in the morning : that the said Topham Beauclerk, at such times, was for the most part alone with Lady Bolingbroke, though sometimes there has been other company with the said Lady Bolingbroke : that at the times he the said Mr. Beauclerk hath been with Lady Bolingbroke as afore-said, his horses were put into her stables, and eat her hay, and his chaise put into her chaise-house, and there staid till he went home ; that when he used to be at the said house, he behaved in a great measure as if he was the master of the same, by ordering the deponent, and the other servants, to do any thing he had a mind should be done.

He further saith, that, one day, happening during her stay at Taplow as afore-said, but the time more particularly he cannot recollect, the deponent being in the parlour with Lady Bolingbroke and Mr. Beauclerk, the said Mr. Beauclerk said to her : " Come, my lady, let us shut up the windows, and go to ches, " which she complied with, and ordered the deponent to shut up the windows, and bring candles, which

which he accordingly did ; though it was then quite day-light, and an hour and an half before it was dark : and he further saith, that, more than once during Lady Bolingbroke's stay at Taplow, Mr. Beauclerk hath come to her house at Taplow by eight o'clock in the morning, and, at such times, the deponent has seen him go up a pair of stairs which led to Lady Bolingbroke's bed-chamber, before she had left the same to come to breakfast, sometimes an hour and an half before ; but whether he went into her bed-chamber, or whether she was up, or in bed, at such times, he knows not ; though he believes he used to go into her bed-chamber, by reason that he, upon his coming to the house at such times, used to ask the said Mary Lees how Lady Bolingbroke did, and immediately went up stairs, and also by reason that, at some of such times, he came down stairs, and took his horse, and went away without waiting for Lady Bolingbroke's coming down : and he further saith, that, when Lady Bolingbroke and Topham Beauclerk were together, they
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generally sat in a great parlour, facing the garden, in which room there always stood a large broad couch ; and he further saith, that, during the said Lady Bolingbroke's stay at Taplow, as aforesaid, the deponent has frequently, in attempting to go into the room where they were alone, found the room door locked or otherwise fastened, so that he could not get in ; and, particularly one day, during the said time, a post-boy brought a letter from Lady Pembroke, (who was then at Langley at the Duke of Marlborough's) for Lady Bolingbroke ; which letter the deponent took, and was going to carry the same into the said parlour, where Lady Bolingbroke and Topham Beauclerk were then alone, but found the door locked or fastened, so that he could not get in ; and thereupon the deponent returned, and being asked by the post-boy if he had delivered the letter, he told him he had, in order to prevent his knowing the door was fastened, so that he could not get in ; and after waiting some time, he returned to the parlour door, which he then found open ; and he then
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gave the letter to Lady Bolingbroke, she then being sitting on the said couch, close to Mr. Beauclerk; that they both appeared to the deponent to be much flurried, and Lady Bolingbroke's cloaths and hair were much rumpled, and her cap was almost off.

He further saith, that, almost every night, when Lady Bolingbroke and Mr. Beauclerk had been alone together in the said parlour, the said couch appeared very much rumpled and tumbled, and every thing on it appeared all in a heap, as if they both had been laying thereon; and one night, after they had been so together, during the said space of time, as he now best remembers, the deponent found three shillings upon the said couch; from all which circumstances, the deponent does verily believe that, at the several times he so found the room door locked, or otherwise fastened, particularly at the time the said letter was sent from Lady Pembroke, the said Lady Bolingbroke and Topham Beauclerk did commit the crime of adultery

tery together, and had carnal knowledge of each other.

He further saith, that, some time in or about the latter end of February following, Lady Bolingbroke left Taplow aforesaid, and went to London, attended by the deponent, in the said Mr. Beauclerk's post-chaise ; and, soon after her arrival in town, she was taken ill of the meazles, and was thereby confined to her bed about a fortnight, and to her room (which was up two pair of stairs) for about three weeks, as he now best remembers the time to be : that, during the whole of the said time, the said Topham Beauclerk (who came to town soon after Lady Bolingbroke) used to come two or three times a day to see her ; and, during the time she was so confined to her bed, he always went up into her bed-chamber, and also, after she was able to get up, but was confined to her room ; and at some of those times he has been alone with her in her bed-chamber, as well whilst she was confined to her bed as afterwards, which the deponent well knows, by reason that, when the said Mr. Beauclerk

clerk has been with her, he has seen all his fellow-servants out of the room together, and there was no other person in the house: and he further saith, that, after she recovered and came down stairs, the said Topham Beauclerk continued his visits as he had done before she went to Taplow, generally coming two or three times a day, and sometimes oftener, and staying sometimes till eleven and twelve o'clock at night, at most of which times they were alone together; and the deponent, after they have left the dining-room, or the back-room, has frequently seen the said couch tumbled and rumpled, the cushions thereof being turned upside down, and has found great quantities of hair powder, and clots of dirt; and therefore he does believe, at such times, they the said Lady Bolingbroke and Topham Beauclerk, did commit the crime of adultery together, and had carnal knowledge of each other; but the particular times when, he cannot set forth: and he further saith, that, from some time about Christmas, 1766, Lady Bolingbroke appeared to encrease in her

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size, and, during the time she was at Taplow, as aforesaid, she had her stays let out, and she appeared to the deponent, from that time, to be with child, and the same was commonly talked among him and his fellow-servants; who also said, they thought if she was not with child, they never saw a woman that was, or to that effect: and some time after the said Lady Bolingbroke returned from Taplow, but the time more particularly he cannot recollect, his fellow-witness, Doctor Hunter, (whom the deponent knew well by sight) came to Lady Bolingbroke's house in Charles Street, and asked the deponent if Lady Bolingbroke was at home? to which the deponent replied in the affirmative; and thereupon he desired him to let Lady Bolingbroke know that a gentleman wanted to speak to her, and the deponent desired to know his name, that he might acquaint her therewith; but he refused telling it; at the same time saying, that she did not know his name, and it did not signify; to which the deponent replied, that it was not usual for his lady to see any body unless she

she knew their names; to which he again replied, she does not know my name, but I am sure she will see me: and thereupon the deponent, finding he would not tell his name, went up stairs to Lady Bolingbroke, who was then in the dining-room with the said Mr. Beauclerk, and told her that a gentleman wanted to speak to her, and thereupon she ordered the deponent to shew such gentleman into the little room, which went out of the said room wherein she herself then went, which the deponent accordingly did, and he staid with her about a quarter of an hour; that he afterwards came several times to see Lady Bolingbroke, and always came about nine o'clock at night, and always came on foot, as the deponent believes, by reason that he never saw any carriage or chair waiting for him, or any that he came in.

He further deposes and says, that, some time in the latter end of the month of March, or beginning of April last, Lady Bolingbroke again went to Taplow, attended by Mary Lees and the deponent, where they staid about three or four weeks,

as he best remembers the time to be ; and the said Topham Beauclerk also went to his house at Cookham, about the same time ; and, during the time that she so staid there, he renewed his visits in the manner by the deponent before-mentioned ; and, during the said time, Mr. Beauclerk has frequently taken Lady Bolingbroke out to take the air ; and sometimes he has taken her in his chaise, as the deponent verily believes, to his house at Cookham ; by reason that he has helped them both into the chaise, about five o'clock in the afternoon, and has seen the chaise drive towards his house ; and Lady Bolingbroke, at such times, did not return till about ten o'clock at night, when Mr. Beauclerk used to bring her back in his chaise ; and then stay and sup with her at her house, and stay with her till one o'clock in the morning sometimes, before he returned : and he further saith, that, during her stay at Taplow as aforesaid, but the time more particularly he cannot recollect, Lady Bolingbroke's cook came to the deponent, and told him, she had heard the parlour door lock,

lock, where the said Lady Bolingbroke and Mr. Beauclerk were then alone together; and the deponent thereupon went to the said door, to see if it was locked, and he accordingly found the same locked or otherwise fastened, so that he could not get in; and he further saith, that, almost every night, after the said Lady Bolingbroke and Mr. Beauclerk had been alone together, in the said parlour, during the last mentioned space of time, the deponent found the said couch very much tumbled and rumpled, insomuch that he verily believes, that, at such times, the said Lady Bolingbroke and Topham Beauclerk did commit the crime of adultery together, and had carnal knowledge of each other.

He further saith, that, during her stay at Taplow, as aforesaid, the last-mentioned time, the said Topham Beauclerk has, when he came to London, upon his return to Taplow, brought down oil and vinegar in the boot of his chaise for Lady Bolingbroke, and he also sent two rye loaves every week, during the said time, to the said Lady Bolingbroke; which were sent from
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his seat in Lincolnshire, as the deponent believes : and, during the said time, a hamper of wine, and another of Dorsetshire beer, were sent to Lady Bolingbroke, and, as he verily believes, by the said Mr. Beauclerk's orders, by reason that they were sent soon after he had been at London, during the said space of time, but who paid for them he knows not : and he further saith, that, during the time that Lady Bolingbroke was at Taplow, as well the last-mentioned time, as when she was there before, a small oval deal box came from London by the stage coach twice a week, which boxes were always directed for Mr. Topham Beauclerk, at Cookham, to be left at Maidenhead Bridge ; and from thence they were brought, either by Mr. Beauclerk's servants, or by some other person, to Lady Bolingbroke's house : that the deponent frequently carried the said boxes into the parlour to Mr. Beauclerk, when he has been there with Lady Bolingbroke ; and at some of such times he has seen him open the said boxes, which contained phials filled with some sort of medicines ;
but

but what it was he knows not, by reason that Mr. Beauclerk generally tore the labels from the said bottles and burnt them: that sometimes Mr. Beauclerk gave the deponent the bottles (after he had torn the labels off) and bid him give them to Lady Bolingbroke's woman, meaning the said Mary Lees, which he has accordingly done: and sometimes the deponent has taken two of the said phials, and a cup in a day, for the said Lady Bolingbroke to take, though he never saw her take them; but verily believes she did, by reason that when he has taken the said cup away, he has observed the same to appear as if such medicines had been put therein: but what she took such medicines for, he knows not; but he has sometimes heard the said Mary Lees say, that she was not well, but did not say what was the matter with her: and he further saith, that, some time about the latter end of April, Lady Bolingbroke returned to her house in Charles Street, and Mr. Beauclerk also came to town within about a day or two, and in a short time she went again to Taplow, and staid there

there about a week or ten days, and returned to London again: and the said Topham Beauclerk also went backwards and forwards, at or about the same time; saving the last time she so returned to town, the said Topham Beauclerk accompanied Lady Bolingbroke to an inn at Cranford Bridge in his own chaise, where they dined together, as he believes, but the deponent was sent forwards to London to get tea ready, where she arrived in the said Mr. Topham Beauclerk's chaise in the evening; from all which time, till the deponent left the said Lady Bolingbroke's service, which, to the best of his remembrance, was on or about the seventh day of May following, the said Topham Beauclerk continued to visit Lady Bolingbroke three or four times a day, and sometimes oftener; and used to stay supper, and till twelve o'clock at night, and sometimes later; and, for the most part of the said time, they were alone together; but the deponent does not remember that ever he found the door of the room where they were, locked or fastened, during the said space of time, but

but constantly, when they have been together in the said house in Charles Street, as well before dinner as at night, upon their leaving the room where they had been sitting, the deponent upon going into such room to put the things to rights, found the said couch much tumbled and rumped, and clots of dirt and hair-powder upon it; and therefore he does also believe, that, at such times, the said Topham Beauclerk and Lady Bolingbroke did commit the crime of adultery together, and had the carnal knowledge of each other: and he further saith, that, about a week or ten days before the deponent left his said service, Lady Bolingbroke's housemaid was discharged her service, upon a quarrel which happened between her and the said Mary Lees, relating to her having reported about the neighbourhood that Lady Bolingbroke was with child; and the deponent was discharged, because he would not submit to do every thing that was ordered by the said Mary Lees, which was the only reason he had given him for his being discharged.

WILLIAM FLOCKTON.

*15th January, 1768.**The Deposition of Abyen Rowley.*

ABYEN ROWLEY, now servant to Bright Hemmings, of Curzon Street, May Fair, aged thirty years, deposes and says, that some time in the month of April, 1767, this deponent went to drive job horses, which Topham Beauclerk, Esq. hired of the said Bright Hemmings, this deponent's master, and the deponent continued constantly to drive the said Topham Beauclerk, till some time about the latter end of July following, when Lady Bolingbroke hired the same horses of the deponent's said master; and the deponent hath continued to drive the said Lady Bolingbroke ever since: and he further saith, that the said Topham Beauclerk, having a country house at Cookham, in the county of Berks, the deponent was sent by his said master to take the said horses there, which he accordingly did, on the said second day of April, and continued there during all the time he continued to drive the said Mr. Beauclerk, as aforesaid: that Lady Bolingbroke, during
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all the said time, was at a country-house which she had at Taplow, in the county of Bucks, which is about two miles from Cookham aforesaid, saving, that they the said Topham Beauclerk and Lady Bolingbroke, might, in the said time, come to London for a day and back again : and he further saith, that, during the said time, Topham Beauclerk visited Lady Bolingbroke, at her house at Taplow, almost every day ; the deponent generally driving him there in his chaise ; that he very frequently dined there, and sometimes used to stay to sup with her, and, at such times, the deponent drove him home from her house at ten o'clock at night, and sometimes later : that at such times the deponent put his chaise and horses up at Lady Bolingbroke's, where they staid till Mr. Beauclerk wanted to go back again, be it what time it would ; and that, during the said time, Lady Bolingbroke hath also been to visit the said Topham Beauclerk, at his said house at Cookham, sometimes to dine, and at other times to drink tea ; that, at such times, the said Mr. Beauclerk either went to her house in his chaise to fetch

her, or he sent the deponent with the chaise for her ; but at all such times, either the said Mr, Beauclerk's or Lady Bolingbroke's groom attended them : that this deponent's business never called him into the house but at meal times, and therefore he does not know whether, at the respective times that the said Topham Beauclerk, Esq. was at the said Lady Bolingbroke's house, or that she was at his house, they were or were not ever alone together.

He further saith, that, on or about the fourteenth day of July last, the deponent drove Lady Bolingbroke, and the said Topham Beauclerk together, in the said Topham Beauclerk's post-chaise, to Cranford Bridge, in their way to London ; they being also attended by two or three other servants : that, from Cranford Bridge, the said Lady Bolingbroke came to London alone in the said Mr. Beauclerk's chaise, and the said Mr. Beauclerk came in a hired chaise ; that the deponent drove the said Lady Bolingbroke to her house in Charles Street, Berkeley Square : and he further saith, that, in about two or three days after they so arrived in London, Lady
Boling-

Bolingbroke hired the horses which the said Mr. Beauclerk had had; and the deponent, from that time to this, hath drove the said Lady Bolingbroke, whenever she has wanted him: and he further saith, that, during the said time, the deponent sometimes went to Lady Bolingbroke's house, to know when he should be wanted; and, at other times, he was sent for; that he has frequently, since he so drove the said Lady Bolingbroke, seen Topham Beauclerk at her house in Charles Street aforesaid, in a morning about ten o'clock; but, the particular time when, he cannot recollect: and he further saith, that, from the first of the deponent's driving the said Lady Bolingbroke, till some time afterwards (but how long he cannot recollect) she did not go out so much as she has done since, and, during that time, she only went an airing; sometimes attended by her woman, the deponent's fellow-witness, Mary Lees; and at the times the said Mary Lees so attended, no man-servant went but the deponent; but, at other times, her footman always attended her: and he further saith, that, during the time the deponent

ponent drove the said Mr. Beauclerk, a footman and a maid-servant belonging to the said Lady Bolingbroke were discharged; and one maid-servant was also discharged, during the time the deponent has drove Lady Bolingbroke; and which, to the best of his remembrance, was about a month after he first drove her; but on what account they were so turned away, he knows not: and that, some time after she was so discharged, but the time more particularly he cannot recollect, a footman, who was hired in the place of him that was so discharged, was sent to Lady Bolingbroke's house at Taplow, and staid there about five or six weeks, as he believes the time to be; and that after he was so sent to Taplow, Mary Lees was the only woman-servant in the house for some days together; but the particular time when that was, he does not remember; and, during that time, the said Mary Lees asked the deponent, if he would come in a morning and clean the knives? which he complied with during the time she so continued to be the only servant in the house, and, during that time, lighted the fires for the
said

saïd Mary Lees ; that there was a girl came to live in the saïd house, as a servant, and upon the day, or day after her coming, Mary Lees told the deponent that he would not be wanted, that he might go when he pleased for a week or ten days, and then paid the deponent what board wages were then due to him ; and then also gave him a guinea as a present for the trouble he had had in coming to the house, as by him before-mentioned : and he further saith, that, in about a fortnight afterwards, the deponent received orders to go with the chaise to Lady Bolingbroke's, which he accordingly did, and there found a chairman in the house, but how long he had been there, or the business he was there upon, he knows not : and further he cannot depose, save that, during the time the deponent drove Mr. Beauclerk, he heard Lady Bolingbroke's footman, who was turned away as aforesaid, say, that Lady Bolingbroke was with child, and saving that, during all the time he has so drove Mr. Beauclerk, and also Lady Bolingbroke, he believes, Lady Bolingbroke hath

122 *Lord Viscount Bolingbroke, against*

hath lived separate and apart from her said husband, the said Right Honourable Lord Bolingbroke, the producent.

The Mark  of
ABYEN ROWLEY.

S E N T E N C E.

Upon hearing the depositions of the witnesses, and the pleadings in this cause, a definitive sentence or decree was given to the following effect, *viz.* That Lady Diana Viscountess Bolingbroke, after the solemnization and consummation of the marriage, being altogether unmindful of her conjugal vow, and not having the fear of God before her eyes, did, in the years and months libellate, commit the crime of adultery with Topham Beauclerk, Esq. and did violate her conjugal vow: it is therefore pronounced and declared, that Frederick Lord Viscount Bolingbroke ought by law to be divorced and separated from bed, board, and mutual cohabitation with the said Diana Lady Viscountess Bolingbroke, his wife.

RICHARD DRAPER,

AGAINST

ELIZABETH DRAPER.

LIBEL given in the 26th of *January*,
1771.

IN the libel above-mentioned, Richard Draper, of the parish of St. Ethelburgh, London, sets forth, that, being a batchelor, he made his addresses of love and courtship to Elizabeth Draper, then Elizabeth Hartnell, spinster, a minor, and that on the 16th of December, 1764, they were lawfully joined together in matrimony. That, soon after the solemnization and consummation of the marriage, the said Elizabeth Draper, being of a loose and abandoned disposition, and unmindful of her conjugal vow, gave herself up to a lewd and

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vicious life and conversation, and contracted an illicit and adulterous intercourse with strangers, particularly with William Penfold, Charles Ruffel, John Haylock, and others, and very frequently committed the foul crime of adultery with them ; and at length, took so little care to conceal her vicious inclinations, from any other person except her husband, that no person of virtue would keep her company ; many of her friends dropping their acquaintance with her on that account. That she confessed this adulterous intercourse to her husband, in the presence of some of her relations and others, with great seeming penitence and sorrow, whereupon her husband put her away ; and she afterwards wrote several letters to him, confessing her misconduct, and entreating forgiveness for the same, &c.

6th February, 1771.

The Deposition of Edward Goode.

EDWARD GOODE, of Great Kirby Street, Hatton Garden, in the county of Middlesex, linen-draper, aged seventeen
years,

years, deposes and says, that he hath known Richard Draper, party in this cause, for about three years last past ; that some time about the middle of the month of April last, this deponent came from Newark, in Gloucestershire, to London, and went to dine with the said Richard Draper, at his house in Bishopsgate Street ; and then, for the first time, the deponent saw Elizabeth Draper, his wife, the other party in this cause ; and the said Richard Draper invited the deponent to come and stay at his house, till the deponent could get a place in the linen-drapery way ; and the next day the deponent, in consequence of such invitation, went to the said Richard Draper's house : but the first time the deponent saw the said Elizabeth Draper, she trod upon the deponent's toes, and squeezed his hand ; and this deponent, having no acquaintance with the said Elizabeth Draper, thought she was in joke, and playing with him : and this deponent, the day after he had been in the said Richard Draper's house, being sitting up with her alone in the little dining-room

of the said Richard Draper's house, (and he the said Richard Draper being gone down into the shop) Elizabeth Draper asked the deponent to go with her to the top of the house, to see some pigeons which they had ; and the deponent went up stairs with her, and saw the pigeons ; and afterwards Elizabeth Draper laid hold of both the deponent's hands, and pulled him into a room in which there was a bed, and she put her arms round the deponent's neck, and kissed him, and swore that she loved him : and the deponent told her, that it did not signify, that, she being a married woman, was tied from him, and that he should be wrong to encourage it : and the deponent left the room, and went down stairs, and, as he was leaving the room, she said to him, " Blast your eyes." And the next day, being a Saturday, the deponent's mother, and one Mr. Godin, with the deponent, being at dinner with the said Elizabeth Draper, they made an appointment to go to St. James's together the next day ; and the next morning, about eight o'clock, the deponent enquired of



*M^{rs} Draper importuning her husband's Apprentice to go
with her into the Bedchamber.*

See N^o 9 pa. 4 of Trials for Adultery.

Published as the Act directs, by S. Bladon, 28.th Oct^r 1780.

of the servant maid, whose name was Nanny, whether Elizabeth Draper was up; and the maid went up stairs to her, and came down to the deponent and told him, that Elizabeth Draper desired the deponent to come up to her; and accordingly the deponent went up stairs into the bed-chamber where Elizabeth Draper was in bed; and the deponent had the door in his hand, and asked the said Elizabeth Draper what she wanted? and she said to the deponent, "Come to bed to me." And the deponent turned about, made no answer to her, left the room directly, and went down into the little dining-room, which is upon the first floor; and the said Elizabeth Draper soon after came into the dining-room dressed, and she came and sat upon the deponent's knees, and made use of many amorous speeches, kissed the deponent, and put his hand upon her breasts; and the said Elizabeth Draper put herself across the deponent's legs, pulled up her petticoats, and said to the deponent "Will you?" And thereupon the deponent committed the crime of adultery with her:
and

and about three days afterwards, being the latter end of the said month of April, or the beginning of May, this deponent being alone with the said Elizabeth Draper in the little dining-room, after dinner, and the said Richard Draper being gone below stairs, Elizabeth Draper came and sat upon the deponent's knees, and kissed him, and he then committed adultery with her : and the said Elizabeth Draper several times afterwards wanted this deponent to lay with her, but, for fear of being discovered, the deponent refused, and she quarelled with the deponent on that account, and swore at him very much : and he further saith, that, whilst the deponent was in the said Richard Draper's house, the said Elizabeth Draper used frequently (in the absence of her husband) to send for William Penfold, the said Richard Draper's apprentice, to come up stairs, and the deponent generally left the room, and left the said Elizabeth Draper and William Penfold alone in the little dining-room ; and the deponent, being once in the little dining-room with them, looking out of the
the

the window, and happening to turn about, he saw the said William Penfold kissing the said Elizabeth Draper, and afterwards the deponent several times saw William Penfold kiss her, and put his hands upon her breast, and the said Elizabeth Draper sit upon his knees: and this deponent saith, that on a Friday night in the said month of May, the time more particularly he cannot say, on which evening the said Richard Draper went to Hertford, this deponent was in a room adjoining to the little dining-room, and he heard Elizabeth Draper and William Penfold talking together, and heard Elizabeth Draper tell William Penfold, that Richard Draper would not lay at home that night; that he was going to Hertford, and she said to him, "Will you lay with me to-night?" And the said William Penfold made answer that he would, and desired her not to lock her door; and this deponent laid awake to hear him come, the deponent intending to speak to him; and about twelve o'clock he heard him come down stairs, and he knocked at Elizabeth Draper's door, and
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the deponent jumped out of bed, and the said William Penfold, hearing the noise made by the deponent (as he believes) returned up stairs again, the deponent hearing him, and he did not then go into the said Elizabeth Draper's bed-chamber: and this deponent saith, that William Penfold is no ways related to Elizabeth Draper, to the best of his knowledge and belief; that Elizabeth Draper is a woman of a very loose and abandoned disposition, and curses and swears very much, and gave herself up to a vicious life and conversation; that very few people visited her; but often two or three young fellows came running into the house, and went up stairs to her, when the said Richard Draper was absent; so much that the apprentice and porter in the shop would laugh and say, that such young fellows were gone to kiss their mistresses, meaning Elizabeth Draper; and he further saith, that, on a Sunday in the said month of May, as this deponent and William Penfold were going to Greenwich together, this deponent mentioned to him that he heard him make an appointment to
lay

lay with Elizabeth Draper; and then the said William Penfold acknowledged to the deponent, that he had often laid with her; and he told the deponent he had suspicions of him, from what Elizabeth Draper had dropped: and the deponent did then acknowledge, that he had had criminal conversation with her; and they both agreed to tell the said Richard Draper of each other, whoever had the first and best opportunity; but they first agreed that a letter should be wrote, to tell her that he, the said William Penfold, would have nothing further to do with her; and desiring her to reform: but she still continuing her solicitations to the said William Penfold, as he informed the deponent, they determined to let the said Richard Draper know of her behaviour; and, in about a week afterwards, the deponent took an opportunity of telling Richard Draper, that Elizabeth Draper had seduced William Penfold, and that he had lain with her: and the next evening the deponent was called up stairs, when the said Richard Draper charged her, before the deponent,

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and some of her relations, that she had had a criminal connection with the said William Penfold : and the said Elizabeth Draper, seemingly with great sorrow and concern, confessed the same to be true ; and further he cannot depose.

EDWARD GOODE.

11th February, 1771.

The Deposition of Joseph Marshall.

JOSEPH MARSHALL, of St. Ives, in the county of Huntingdon, farmer and carrier, aged seventy years, deposes and says, that he hath known and been well acquainted with Richard Draper, and Elizabeth Draper, his wife, the parties in this cause, for several years last past, the deponent having for some years done business for him as a carrier : and this deponent, being well acquainted with them, invited them to his house ; and some time in the month of March, 1769, the time more particularly he cannot say, the said Elizabeth

Elizabeth Draper was upon a visit at the deponent's house, at St. Ives, in the county of Huntingdon: and this deponent saith, that, he well remembers, that on a Thursday evening, about eight o'clock, whilst the said Elizabeth Draper was at his house, he had several friends with him, and this deponent was called out of the room by Mary Allen, the deponent's house-keeper's daughter; and she told the deponent, that one John Lankester, of St. Ives aforesaid, whom the deponent well knows, was up stairs in the bed-chamber with the said Elizabeth Draper, and that the door was locked; and thereupon this deponent was in a passion, and bid the said Mary Allen go up stairs, and tell the said John Lankester immediately to quit his house, and to tell the said Elizabeth Draper to prepare herself to go to London, for that she should not stay in the deponent's house, and that he will not sit down to another meal with her: and this deponent did not afterwards see the said Elizabeth Draper, and he believes she quitted his house the next morning, and

did not return any more: and the said Mary Allen, at such time, told this deponent, that she saw through the key-hole that the bed was tumbled, in the room where the said John Lankester and Elizabeth Draper were together; and he the said John Lankester did not come to visit this deponent, but was at his house without his knowledge or consent; and further to the said article he cannot depose.

JOSEPH MARSHALL.

12th February, 1771.

The Deposition of Mary Allen.

MARY ALLEN, of St. Ives, in the county of Huntingdon, spinster, aged twenty-four years, deposes and says, that, for about two years and an half last past, she hath known Richard Draper and Elizabeth Draper, his wife, parties in this cause, and came so to know them by their being acquainted with Mr. Joseph Marshall, of St. Ives, in the county of Huntingdon, to whom the deponent's mother,
Mary

Mary Allen, is house-keeper ; and the deponent hath lived with her mother, the said Mary Allen, in the said Joseph Marshall's house, ever since she was a child : and she further saith, that, some time in or about the month of February or March, 1769, the time more particularly she cannot say, the said Elizabeth Draper was upon a visit at the said Joseph Marshall's house, and on a Thursday afternoon, whilst she was there, the deponent and the said Elizabeth Draper went out to drink tea at the house of one Mr. Kendall, then a grocer at St. Ives ; and, after tea, they took a walk, and as they were returning home, the said Elizabeth Draper said, she would take an opportunity of calling upon Miss Lankester, the sister of John Lankester ; and she mentioned that they had been very civil to her, and that the said John Lankester had sent her to town a brace of partridges ; and the deponent begged to be excused, and said, that she was going home : and this deponent accordingly went home, and about eight o'clock, or thereabouts, (she remembers that

that candles were lighted) the said Elizabeth Draper returned to the said Joseph Marshall's house, and with her the said John Lankester, whom she asked to walk up stairs with her; and this deponent lighted them up stairs into the said Elizabeth Draper's bed-chamber, in which there was a fire, and where the said Elizabeth Draper and the deponent were to sup that night, the said Joseph Marshall having company below stairs; and this deponent sat down with them in such bed-chamber, the said Lankester sitting near the said Elizabeth Draper, on one side of the table, and the deponent on the other; and soon afterwards, the said Elizabeth Draper desired the deponent to go and fetch her some almonds and raisins, and thereupon she did suspect that something improper was going on between them, and she thought that she might be blamed to leave them alone together: and the deponent thought that it was a sufficient affront, and to shew that she did not approve of it, to ask her for money for the almonds and raisins, and she said that she

she had no change; and the said John Lankester gave the deponent money, and she went to buy the almonds and raisins, and was absent about a quarter of an hour, when she returned; and the deponent and the said Elizabeth Draper supped together, he, the said John Lankester, not eating any supper: and after supper, the deponent said, that she would go and get some wine, and that she should not be back just yet; and the deponent went down stairs, and then up the back stairs, and pulled off her shoes and went to the door to listen; and there being a large hole near the lock, through which the deponent might see all about the room, this deponent looked into the room by such hole, and saw them sitting by the fire together; and the deponent then observed, that the bosom of the said Elizabeth Draper was quite naked, and she saw the said John Lankester put his hands into her bosom, and kiss her several times; and the boards at the floor on which she was standing making a little noise, the deponent heard the said Elizabeth Draper say, that somebody was coming;

ing ; and the deponent went into an adjoining room, and soon afterwards the deponent returned, and looked in at the hole again, and saw the said Elizabeth Draper's head between the said John Lankester's legs ; and the deponent went again into the adjoining room, and soon afterwards returned and looked in at the hole, and they had then left the fire place ; and the bed was near the door, and this deponent plainly heard them upon the bed, and heard the bed to crack and make a noise, as if persons were pressing upon it ; and the deponent heard them whisper upon the bed, and she continued at the door some few minutes, and heard them whispering, and in motion upon the bed ; and the deponent does therefore believe, that they the said John Lankester, and Elizabeth Draper, committed the crime of adultery together : and the deponent then went down the back stairs, and put on her shoes ; and the deponent went up the fore stairs, running and making a noise, that the said John Lankester and Elizabeth Draper might have no suspicion that she had been listening ;

ing ; and when she came to the door she found the same locked, or so fastened, that she could not get in : and one of them, she cannot now say which, came and opened the door, and let her in : and this deponent saith, that, previous to her going up stairs the last time, she mentioned to her mother, the said Mary Allen, the several circumstances by her before set forth, and she insisted upon the said Joseph Marshall's being called out of the room, and informed thereof ; and the said Joseph Marshall was called out and informed of the several circumstances aforesaid ; and the said Joseph Marshall told this deponent to tell the said Elizabeth Draper, that it was his desire that she should not bring the said Mr. Lankester to his house any more, and to get home as fast as she could herself ; for that if she was to stay in the house ever so long, he would not sit down to another meal with her ; and the said Joseph Marshall expressed himself in words to that or the like effect : and the deponent acquainted the said Elizabeth Draper with what the said Joseph Marshall said, and

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she accordingly took a place in the St. Ives machine for Saturday, the first day the machine went to London, and on Saturday left the said Joseph Marshall's house, and did not return there any more; and this deponent saith, that, soon after Michaelmas, 1768, she, this deponent, was in London for near a quarter of a year; and, during that time, was a fortnight or three weeks at a time with the said Elizabeth Draper, at the said Richard Draper's house in Bishopsgate Street; and this deponent several times observed the said Elizabeth Draper to whisper with one William Penfold, an apprentice to the said Richard Draper, but on what account she knows not, or what business she might have with him; and, by reason of the premises by her before deposed of, she looks upon the said Elizabeth Draper as a woman of a very loose and abandoned disposition, and of a lewd and vicious life and conversation, and further she cannot depose.

MARY ALLEN.

The

*4th March, 1771.**The Deposition of William Penfold.*

WILLIAM PENFOLD, of the Strand, in the parish of St. Martin in the Fields, in the county of Middlesex, grocer, aged eighteen years, deposes and says, that, in the beginning of the month of March, 1768, this deponent came from the country, and went to the house of Richard Draper, party in this cause, a grocer in Bishopsgate Street, in order to be upon trial to be his apprentice; and the deponent was then about the age of sixteen years; that thereby he came to know Elizabeth Draper, his wife, the other party in this cause, and this deponent used frequently to dine with the said Richard Draper and Elizabeth Draper, and when the said Richard Draper was from home, the deponent used to dine alone with the said Mrs. Draper; and this deponent continued in the said Richard Draper's house till some time in or about the month of May last; and this deponent saith, that, in about three weeks after the deponent

went to the said Richard Draper's house, the said Elizabeth Draper made advances to this deponent, and shewed a desire for the deponent to have connections with her; the deponent being one Sunday, the latter end of the said month of March, sitting alone with her in the dining-room up one pair of stairs, when she came and kissed the deponent; and, on the Sunday following, in the month of April, the particular day of the said month he cannot say, the deponent being sitting alone with the said Elizabeth Draper in the dining-room after dinner, she came to the deponent and kissed him, and put her hand to his breeches, and unbuttoned his breeches, and asked the deponent to enjoy her; and she pulled up her petticoats, and the deponent then, by her desire, had carnal knowledge of her, and committed the crime of adultery with her; and, for the whole time that the deponent continued in the said Richard Draper's house, upwards of two years, he, this deponent, very frequently, (sometimes twice a week) and when opportunity served, that the said

Richard

Richard Draper was from home, had carnal knowledge of the said Elizabeth Draper in such dining-room : and afterwards, when they removed to another house nearer Bishopsgate, the deponent frequently had the carnal knowledge of her upon her own bed in her bed-chamber : and the deponent saith, that he did not make any advances to the said Elizabeth Draper, nor by his conduct shew any wish and desire to have any criminal conversation with her ; and therefore the deponent looks upon her to be a woman of a loose and abandoned disposition.

He further deposes and says, that, on a Sunday afternoon, happening some time in or about the month of November, 1768, the said Elizabeth Draper and the deponent being sitting alone together in the said Richard Draper's house, in Bishopsgate Street, and the said Richard Draper being gone to Hertford, Elizabeth Draper told the deponent she would take him to a house in Hedge Lane ; and they set off from the said Richard Draper's house, and, at the Royal Exchange, they took

took a coach to Charing Cross, and from thence the said Elizabeth Draper conducted this deponent to a house in Hedge Lane, where the deponent was an entire stranger; and they went into such house, and the deponent followed her up stairs into a bed-chamber, and, upon the bed in such bed-chamber, the deponent had the carnal knowledge of the said Elizabeth Draper, and committed adultery with her; and the said Elizabeth Draper then declared to the deponent, that she knew the house very well, and had been there before.

He further deposes and says, that, on a Friday in the month of May last, the said Richard Draper being gone to Hertford, where he was to stay all night, the deponent being sitting alone with the said Elizabeth Draper in the dining-room, she proposed to the deponent to come down in the night, and to come to bed to her; and this deponent agreed so to do, and accordingly, about twelve o'clock, the deponent left his own bed, and went down naked to the said Elizabeth Draper's bed-chamber, and knocked at the door; and, whilst

whilst the deponent was waiting at the door, he heard noise as if the person in the next room (whose name was Goode) was getting out of bed : and the deponent fearing that he should be discovered, returned to his own room, and did not go to the said Elizabeth Draper that night.

WILLIAM PENFOLD.

11th March, 1771.

The Deposition of John Lankester.

JOHN LANKESTER, of the parish of Sutton, in the Isle of Ely, leather-merchant, aged twenty-two years, deposes and says, that he hath seen Richard Draper, the party in this cause, but hath no acquaintance whatever with him ; that he hath known Elizabeth Draper, his wife, the other party in this cause, for about two or three years last past, and came so to know her by meeting her at the house of one Mr. Peacock, a grocer, at St. Ives, in the county of Huntingdon, where the
deponent

deponent till last October lived and resided : and this deponent saith, that, from some hints the said Elizabeth Draper gave the deponent, the first time he so saw her at the said Mr. Peacock's house, this deponent thought that he might do just what he pleased with her ; and the deponent, from such hints, took occasion to ask her to come to his father's house to tea with his sister, and in two or three days time she came to the deponent's father's house ; and the deponent's father, he believes, was from home : and the deponent contrived to get his mother and sister into the shop upon some business, and thereupon the deponent and the said Elizabeth Draper went up stairs into the bed-chamber belonging to the deponent ; and, the house being then repairing, the deponent went into a little closet with the said Elizabeth Draper, and the deponent had there the carnal knowledge of the said Elizabeth Draper with her consent, and committed adultery with her : and this deponent saith, that, some time in or about the month of March, 1769, the time more particularly he

he cannot say, the said Elizabeth Draper being upon a visit at the house of one Mr. Joseph Marshall, a carrier, at St. Ives, aforesaid; she, the said Elizabeth Draper, as he now best recollects, called at the deponent's father's house, and the deponent went with her from thence to the house of the said Joseph Marshall, and the deponent went up stairs into a bed-chamber in the said Joseph Marshall's house, with the said Elizabeth Draper, and one Molly Allen, who lived in the said Joseph Marshall's house: and the said Elizabeth Draper took occasion to send the said Molly Allen out of the room, for some almonds and raisins, and, whilst she was absent, he had the carnal knowledge of the body of the said Elizabeth Draper, upon the bed in such bed-chamber; and the said Molly Allen returned, and the said Elizabeth Draper contrived to send her again for some wine, and the deponent had again the carnal knowledge of the said Elizabeth Draper, in the absence of the said Molly Allen: and, in a few days afterwards, the deponent met her by appointment at Cambridge

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bridge, but the name of the person who kept the house he cannot say, but the house was an inn or public-house, known by the sign of the Wrestlers, and at such house the deponent had the carnal knowledge of the said Elizabeth Draper, and committed adultery with her, and further he cannot depose.

JOHN LANKESTER.

19th March, 1771.

The Deposition of Mary Hill.

MARY HILL, of Enfield, in the county of Middlesex, spinster, aged twenty-four years, deposes and says, that she hath known and been well acquainted with Richard Draper, and Elizabeth Draper, his wife, the parties in this cause, for many years last past; that she keeps a shop at Enfield, in the county of Middlesex, and she and her friends have for some years dealt with the said Richard Draper in his business, of a grocer; and this deponent
saith,

saith, that a great while ago, she believes more than a year, the said Elizabeth Draper was at the deponent's house at Enfield, for a week, and whilst she was there, the deponent saw her write, and afterwards received several letters from her; and thereby she came to know and be acquainted with her manner and character of hand-writing; and she having now carefully viewed and perused the said several exhibits or paper-writings, marked C, D, E, and F, purporting to be letters from the said Elizabeth Draper, to the said Richard Draper, her husband, she saith, that she verily and in her conscience believes, the whole series and contents of the said exhibits, or paper-writings, the name "E. Draper" subscribed to the paper-writings marked D and F, the name "Eliz. Draper" subscribed to the paper-writings marked C and E, the subscriptions on the said paper-writings D and E, and the postscript to the said paper-writing E, to be all of the proper hand-writing and subscription of the said Elizabeth Draper, party in this cause, and that she

believes by the words "My dear and most injured husband" wrote at the beginning of the paper-writing marked C, and the words "My dearest and most affectionate husband" wrote at the beginning of that marked D, and the words "to Mr. Richard Draper" superscribed thereon, and the words "I hope my dear and much injured husband" at the beginning of that marked E, and "Mr. Draper" superscribed thereon, and the words "My dearest and kind husband" wrote at the beginning of that marked F, she, the said Elizabeth Draper, meant and intended the said Richard Draper, party in this cause, and no other person whatever; and that Elizabeth Draper, who wrote and subscribed the said exhibits, or paper-writings, and superscribed two of them, and Richard Draper, to whom they appeared to be wrote and addressed, and Elizabeth Draper and Richard Draper parties in this cause, are the same persons, and not diverse, and further to the said articles she cannot depose.

MARY HILL.

The

*19th March, 1771.**The Deposition of Sarah Elliot.*

SARAH ELLIOT, spinster, of the town of Hertford, in the county of Hertford, at present housekeeper to Richard Draper, party in this cause, aged thirty years, deposes and says, that, for upwards of fifteen years last past, she hath known and been well acquainted with Richard Draper, and Elizabeth Draper, his wife, the parties in this cause; that, about three years ago, the deponent was, for the space of four months, in the said Richard Draper's house in Bishopsgate Street; and, during the said time, Richard Draper was from home for some time, and she the said Elizabeth Draper went into the country for about six weeks: and this deponent saith, that whilst she was in the said Richard Draper's house, when the said Elizabeth Draper was at home, and her husband Richard Draper was abroad, this deponent could not help observing her particular behaviour towards William Penfold, who was an apprentice to the said
Richard

Richard Draper, and no ways related to him or the said Elizabeth Draper, as she verily believes; she frequently sending for him up stairs, and taking all opportunities of shewing her fondness for him, and she frequently declared that she wished her husband was dead; and this deponent saith, that she hath gone into the room, where they have been sitting alone together, and they seemed surprized and confused, and coloured as if they had been doing something they should not do: and this deponent saith, that, from the conduct and behaviour of the said Elizabeth Draper to the said William Penfold, she, this deponent, did suspect, and always thought, that, one time or other, something would come out respecting an improper intercourse between them.

To the exhibits or paper-writings marked with the letters C, D, E, and F, purporting to be letters from the said Elizabeth Draper, to the said Richard Draper, her husband, she deposes and says, that she hath often seen the said Elizabeth Draper

Draper write, and is perfectly well acquainted with her manner and character of hand-writing, and subscription ; and, she having now carefully viewed and perused the said several exhibits, marked C, D, E, and F, she saith, that she verily and in her conscience believes, the whole series and contents of the said exhibits, or paper-writings, the name "E. Draper" subscribed to the paper-writing marked D and F, the name "Eliz. Draper" subscribed to the paper-writing marked C and E, the superscriptions on the said paper-writings D and E, and the postscript to the said paper-writing E, to be all of the proper hand-writing and subscription of the said Elizabeth Draper, party in this cause ; and that she believes by the words "My dear and most injured husband" wrote at the beginning of the paper-writing marked C ; the words "My dearest and most affectionate husband" wrote at the beginning of that marked D, and the words "To Mr. Richard Draper" superscribed thereon, and the words "I hope my dear and much injured husband" at

at the beginning of that marked E, and “Mr. Draper” superscribed thereon, and the words “My dearest and kind husband” wrote at the beginning of that marked F, she, the said Elizabeth Draper, meant and intended the said Richard Draper, party in this cause, and no other person whatever; and that Elizabeth Draper, who wrote and subscribed the said exhibits, or paper-writings, and superscribed two of them, and Richard Draper, to whom they appeared to be wrote and addressed, and Elizabeth Draper and Richard Draper, parties in this cause, are the same persons and not diverse, and further she cannot depose.

SARAH ELLIOT.

The

12th April, 1771.

The Deposition of Charles Russell.

CHARLES RUSSELL, of the High Street, Wapping, in the county of Middlesex, victualler, aged thirty-five years, deposes and says, that, for many years last past, he hath known and been well acquainted with Richard Draper, and Elizabeth Draper, his wife, the parties in this cause; that, in 1766, this deponent was master of a stage-coach, belonging to Cheshunt, in the county of Hertford, and the deponent used most commonly to drive the same himself: that, in the summer of the said year 1766, the time more particularly he cannot now recollect, the said Elizabeth Draper, with a child and maid-servant, went down in the deponent's coach to Waltham Cross, in the parish of Cheshunt aforesaid; and she, the said Elizabeth Draper, went and lodged at the house of Susannah Latimer, whom the deponent well knew at Waltham Cross aforesaid; and the deponent understood she came into the country for the child's

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health ; and this deponent very frequently went to the said Susannah Latimer's house, with parcels for the said Elizabeth Draper, from the said Richard Draper, her husband, and carried parcels from her to him : and this deponent frequently rode out on horseback, and was very intimate with her ; and this deponent saith, that the said Elizabeth Draper came and sat upon the deponent's knees frequently, when he was alone with her at her said lodgings, and put her hands round his neck, and seemed desirous that the deponent would have a more intimate connection with her : and, at one of the said times, about or in the month of August or September, 1766, the time more particularly he, this deponent, cannot set forth, he lay with, and had carnal knowledge of the said Elizabeth Draper, at her lodgings, at the said Susannah Latimer's, by her consent and desire, and thereby committed adultery with her : and he further saith, that, some time afterwards, he, this deponent, rode out with the said Elizabeth Draper on horseback, and they went together to
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see the gardens of Lord Tylney, on Epping Forest, and they were alone together in the said gardens; and, in a summer-house in the gardens, he, this deponent, by the consent and desire of the said Elizabeth Draper, lay with her, and had carnal knowledge of her, and committed adultery with her, and further he cannot depose.

CHARLES RUSSELL.

12th April, 1771.

The Deposition of Susannah Latimer.

SUSANNAH LATIMER, of Princes Street, Cavendish Square, in the county of Middlesex, spinster, aged sixty-five years, affirmeth and saith, that she hath known Richard Draper, and Elizabeth Draper, his wife, the parties in this cause, for about five years last past, and came so to know them by the deponent's dealing with Mr. Hartnell, a grocer, the father of the said Elizabeth Draper: and she further

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saith,

faith, that, in the month of July, 1766, the said Elizabeth Draper, with her child and a maid-servant, came and lodged at the deponent's then house at Waltham Cross, in the parish of Cheshunt, in the county of Hertford, and continued to lodge there for about three months; that, whilst she lodged in the deponent's house, Charles Russell, the then master of the Cheshunt stage-coach, very frequently came to the deponent's house, and brought parcels for the said Elizabeth Draper, and sometimes was late in the evening; and she the said Elizabeth Draper hath asked him to stay supper, and they have supped together alone in the deponent's said house; and he the said Charles Russell was very frequently with her, and often rode out with her on horseback; insomuch that it was the talk of the neighbourhood, that he had an improper intimacy with her; and this deponent does not think that she behaved with that decency and modesty, that she should have done, as a married woman, whilst she was in the deponent's house; she frequently talking in so free a
style

stile to the said Charles Ruffell, and behaving herself in a flighty manner, not becoming her situation, and further she cannot depose.

SUSANNAH LATIMER.

20th April, 1771.

The Deposition of Anna Drew.

ANNA DREW, wife of Berry Drew, of Pennington Street, Ratcliff Highway, in the county of Middlesex, aged forty-eight years, deposes and says, that, between three and four years ago, the time more particularly she cannot now recollect, she, this deponent, went to live as a servant with Richard Draper, and Elizabeth Draper, his wife, the parties in this cause, and thereby came to know and be acquainted with them; and that she continued in their service for four months and a week: and she further saith, that, whilst she lived in their house, she observed that the said Elizabeth Draper shewed a particular

cular attention to, and fondness for, the said Richard Draper's apprentice, one William Penfold, frequently sending for him up stairs into the dining-room, when the said Richard Draper was gone out; and the said William Penfold used to stay alone with her above stairs, sometimes for half an hour, and sometimes more; that they talked French together, and seemed very free in their conversation, much more so than the deponent thought prudent and discreet in a modest woman: and this deponent, by her conduct, looked upon her to be a woman of a loose disposition; and when this deponent hath had occasion to go up stairs into the room where the said Elizabeth Draper and William Penfold were alone together, they have both coloured, and seemed confused and surprised at the deponent's coming into the room: and this deponent saith, that William Penfold is not, to her knowledge or belief, any ways related to the said Elizabeth Draper: and this deponent saith, that during the time she lived in the said Richard Draper's house, the time she cannot set forth,

forth, but it was of a Sunday morning, about Bartholomew-tide, one John Haylock, belonging to the Cambridge coach or fly, was at the said Richard Draper's house in Bishopsgate Street, when he was absent in the country; and the said John Haylock was alone with her the said Elizabeth Draper in the dining-room above stairs, adjoining to which there was a bed-chamber that opened by glass folding doors; and when the said John Haylock was gone, and the said Elizabeth Draper was out, she, this deponent, had occasion to go into the bed-chamber to dust the room; and to her great surprize she found the bed, in such bed-chamber adjoining to the dining-room, which she had made in the morning, very much tumbled and pressed, as if two persons had laid thereon a-cross ways, and not in the usual ways from the feet to the head of the bed: and she, the said Elizabeth Draper, that morning, seemed to take pains to get every body out of the way, and, by reason of the premises, she, this deponent, does verily believe, that on such Sunday morning the
said

saïd John Haylock and Elizabeth Draper laid together upon such bed, adjoining to such dining-room, and that they had then and there the carnal knowledge of each other, and committed the crime of adultery together, and further she cannot depose.

ANNA DREW.

20th April, 1771.

The Deposition of Catherine Rutt.

CATHERINE RUTT, (wife of William Rutt) of Great Kirby Street, Hatton Garden, in the parish of St. Andrew, Holborn, London, aged twenty-eight years, deposes and says, that, for about two years last past, she hath known and been acquainted with Richard Draper, and Elizabeth Draper, his wife, the parties in this cause ; and the deponent, and the saïd Elizabeth Draper, used to visit each other ; and this deponent saith, that once, when the saïd Elizabeth Draper came to see the
deponent

deponent, she had two or three young fellows with her, strangers to the deponent, who parted with her at the deponent's door: and she further saith, that, about this time twelve months, the time more particularly she cannot recollect, the deponent was with the said Elizabeth Draper, at her house in Bishopsgate Street, when a young man came up stairs for the said Richard Draper's coat, and whom she now knows to be William Penfold, an apprentice of the said Richard Draper's; and the said Elizabeth Draper went and got such coat, and when she gave the coat to the said William Penfold, she kissed him: and the said Elizabeth Draper, observing the deponent to be surpris'd, told this deponent that the said William Penfold was her cousin; and this deponent saith, that she never knew or heard that the said William Penfold was any ways related to the said Elizabeth Draper, or to the said Richard Draper, her husband; and she verily believes, that the said William Penfold is no ways related to them, or either of them: and by reason of the premises, and

the particular flighty behaviour of the said Elizabeth Draper, about a month afterwards, when the deponent was with her at Ranelagh, she, this deponent, looks upon her to be a woman of a loose disposition, and further she cannot depose.

CATHERINE RUTT.

27th May, 1771.

The Deposition of John Haylock.

JOHN HAYLOCK, of Bishopsgate Street, London, clerk to Messrs. Gillams, aged twenty-one years, deposes and says, that he hath known Richard Draper, and Elizabeth Draper, his wife, the parties in this cause, for about three years last past, and the deponent used occasionally to visit them; and this deponent saith, that, as far as the said articles relate to a charge of this deponent's having had a criminal and adulterous intercourse with the said Elizabeth Draper, he, this deponent, is advised, that he is not by law bound to depose thereto,

thereto, and therefore the deponent will not depose to the said articles as far as relates thereto; and further he cannot of his own knowledge depose, save that this deponent did not think it prudent or becoming the said Elizabeth Draper, as a married woman, to come to the accompting-house where the deponent used to sit, and tap at the window; and the deponent told her it was very imprudent of her, that the neighbours would observe her, and her character would be much injured thereby, and thereupon she desisted.

JOHN HAYLOCK.

27th May, 1771.

The Deposition of William Rutt.

WILLIAM RUTT, of Great Kirby Street, Hatton Garden, in the county of Middlesex, gentleman, aged thirty years and upwards, to the exhibits, or paper-writings, marked with the letters C, D, E, and F, he deposes and says, that he hath

known Richard Draper, and Elizabeth Draper, his wife, the parties in this cause, for a year and an half last past; and, during that time, hath several times seen the said Elizabeth Draper write, and subscribe her name, whereby he came to know, and be acquainted with her manner and character of hand-writing and subscription; and, he having now carefully viewed and perused the said exhibits, or paper-writings, purporting to be letters from the said Elizabeth Draper to the said Richard Draper, her husband, he saith, that he verily believes the whole series and contents of the said paper-writings respectively, the name "E. Draper" subscribed to those marked D and F, the name "Eliz. Draper" subscribed to those marked C and E, the superscriptions on those marked D and E, and the postscript to that marked E, to be of the proper hand writing and subscription of the said Elizabeth Draper, party in this cause, and that by the words, "My dear and most injured husband," wrote at the beginning of the said exhibit marked C; and the words, "My

“ My dearest and most affectionate husband,” wrote at the beginning of the said exhibit marked D, and the words, “ To Mr. Richard Draper,” superscribed thereon, and the words, “ My dear and much injured husband,” at the beginning of the paper-writing marked E, and “ Mr. Draper,” subscribed thereon, and the words, “ My dearest and kind husband,” wrote at the beginning of the paper-writing or exhibit, marked F, she, the said Elizabeth Draper, meant and intended the said Richard Draper, party in this cause, and no other person whatever; and that Elizabeth Draper, who wrote and subscribed the said exhibits, or paper-writings, and superscribed two of them, and Richard Draper to whom he believes the same were wrote and addressed and sent, and Elizabeth Draper, and Richard Draper, parties in this cause, to be the same persons and not diverse, and further he cannot depose.

WILLIAM RUTT.

The

*27th May, 1771.**The Deposition of James Delegal.*

JAMES DELEGAL, of Bishopsgate Street, London, engraver, aged twenty-three years, deposes and says, that, for about two years and upwards he hath known Richard Draper, and Elizabeth Draper, his wife, the parties in this cause, the deponent frequently visiting them at their house in Bishopsgate Street; and this deponent saith, that, in the summer of the year 1769, this deponent lodged in Broad Street, behind the Royal Exchange, and the said Elizabeth Draper frequently called upon the deponent, at his said lodgings, and the deponent was frequently at the said Richard Draper's house; and the said Elizabeth Draper at the deponent's lodgings, and at her husband's house, frequently kissed the deponent, and took many unbecoming familiarities with the deponent, such as unbuttoning his breeches, and laying hold of his p——te p——ts, and shewing a desire for the deponent to have criminal conversation with her;

her: and some time, the latter end of the said summer, this deponent was with the said Elizabeth Draper and her husband, and another gentleman, Mr. Woollner, at Sadler's Wells, near Islington: and during the performance, and whilst the said Elizabeth Draper was talking to her husband in the next seat, she was very indecent with the deponent, unbuttoned his breeches, and put her hand upon the deponent's p——te p——ts; and, by reason of the premises, this deponent then did, and now does, look upon her to be a woman of a lewd and vicious life and conversation: and this deponent, out of the great esteem and regard he had for the said Richard Draper, used his endeavours to avoid any criminal connection whatever with her; and the deponent continued his resolutions, and never had any criminal connection whatever with her; and further he cannot depose.

JAMES DELEGAL.

S E N T E N C E.

Upon hearing the depositions of the witnesses in this cause, a final sentence was given to the following effect, *viz.* That after the solemnization and consummation of the marriage, Elizabeth Draper, wife of Richard Draper, unmindful of her conjugal vow, &c. did in the years and months libellate, commit the crime of adultery, in violation of her conjugal vow. It is therefore pronounced, decreed, and declared, that the said Richard Draper ought by law to be divorced and separated from bed, board, and mutual cohabitation with the said Elizabeth Draper, his wife, until they shall be reconciled to each other, and they are divorced and separated accordingly.

Trials for adultery; or, the history of divorces being select trials at
doctors commons, for adultery, cruelty, fornication, impotence, &c. From
the year 1760, to the present time. Including the whole of the evidence on
each cause ...

Bd.: 1

London (1781)

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